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THE SOLID SOUTH A NATIONAL CALAMITY.

BY HANNIS TAYLOR, FORMERLY UNITED STATES MINISTER TO SPAIN.

Of the Electoral votes of 1904, President Roosevelt received 336, the Hon. Alton B. Parker 140. The latter total was made up as follows: Alabama, 11; Arkansas, 9; Florida, 5; Georgia, 13; Kentucky, 13; Louisiana, 9; Maryland, 7; Mississippi, 10; North Carolina, 12; South Carolina, 9; Tennessee, 12; Texas, 18; Virginia, 12. Eleven of those thirteen States had constituted the Southern Confederacy, while the other two were closely affiliated with it. Of the Electoral votes of 1908, the Hon. William H. Taft received 321, and the Hon. William J. Bryan 160. The latter total was made up as follows: Alabama, 11; Arkansas, 9; Colorado, 3; Florida, 5; Georgia, 13; Kentucky, 13; Louisiana, 9; Maryland, 6; Mississippi, 10; Nebraska, 8; Nevada, 3; North Carolina, 12; Oklahoma, 7; South Carolina, 9; Tennessee, 12; Texas, 18; Virginia, 12. Thus the history of the Electoral battle of 1904 repeated itself, with the addition to the political power of the Solid South of the new and relatively unimportant States of Colorado, Nebraska, Nevada and Oklahoma. And so in the last two Presidential contests the organized political power of the South, with little or no help from without, dashed itself hopelessly against the organized political power of the rest of the

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Union. When contrasted as to population and wealth, the relative strength of the combatants in the last battle stood as follows: The total population, according to the census of 1900, of the States which cast their Electoral votes for Mr. Bryan is 24,060,538; their total wealth, $15,163,645,550. The total population of the States which cast their Electoral votes for Mr. Taft is 50,945,017; their total wealth, $71,545,347,892. Intrenched behind such a victory, with such an aggregate of population and wealth supporting him, is it at all likely that a statesman as able, as experienced, as patriotic, as human as Mr. Taft can be dislodged in the next eight years? When the end of that period arrives, what will it profit the South to invite some new political chieftain from the North or West to lead her, as a sectional organization, to inevitable disaster in a fresh conflict involving national issues that are not sectional.

Of the fifteen Presidents elected prior to 1861 the South furnished nine; of the fourteen Vice-Presidents elected prior to that time, the South furnished six. Since John C. Breckenridge took his seat as Vice-President, March 4, 1857, no Southern man has been elected President or Vice-President of the United States. Nay, more, within that period of fifty years, no Southern man has ever been nominated, seriously, for either office. As all the world knows, in the last two contests, in which the South furnished substantially all of the Electoral votes, neither of the nominating Conventions would have dared to name any Southern man, however able or distinguished, even for the second place. Since the end of the Civil War the fact has been universally recognized that, from the standpoint of practical politics, Southern statesmen are not eligible as candidates for the highest offices within the gift of the American people. Is it to the interest of the South to be thus excluded for all time from the Union, so far as the highest political honors are concerned; is it to the interest of the South, in contesting issues purely national, to be chained, as a sectional organization, within lines that mean inevitable political disaster? Certainly, the time has arrived when the South should ascertain whether such a hopeless condition of things is the result of a removable cause.

Those who witnessed the terrors of Reconstruction need not be told why it was that the Southern States drew together as a unit in order to meet a condition that threatened their existence,

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when sudden and universal emancipation was followed by sudden and universal enfranchisement. While the future of the South was still overcast by the consequences of a condition that rested like a blight upon every interest, the great and resolute Senator George, of Mississippi, perceived that a constitutional and efficient remedy could be drawn from the reserved powers of the States to regulate the franchise. The system of representative government which England invented and gave to the world rested, at the outset, upon the principle that only the specially qualified few possessed the right to vote. As late as 1832, of the entire population of the British Isles only about 400,000 had the right to vote. Upon the immemorial right of exclusion all of our original State constitutions were founded. Our Federal system adopted as a corner-stone the exclusive right of the State to regulate the franchise. The Fifteenth Amendment, in imposing the single existing limitation on the power of a State to regulate the franchise, only denies to a State the right to take it away "on account of race, color or previous condition of servitude." Such was the power and such the limitation under which Senator George worked while fabricating the new system of Southern constitutions, upon whose luminous wings that section has risen from her ashes and established a material prosperity that has surprised the world. In 1870 the total assessed property of the South was only $3,000,000,000. Now it is over $7,000,000,000, a sum in excess of the total possessed by the rest of the Union in 1860. Of the twelve millions of bales of cotton which she now produces annually, the South is manufacturing nearly two millions and a half of bales on her own soil. The new Southern constitutions have guaranteed a condition of peace and security out of which has grown a prosperity now being enjoyed by both races. These constitutions all provide in some form that those who are deprived of the franchise, by reason of illiteracy or poverty, can gain the right to vote by removing the disability.

Certainly, it is the duty of every Southern State to advance that process by doing all it can to educate the illiterate of both races. The writer refers with pride to the noble efforts that are being made by his own State to educate her negro population. Everybody has heard of the famous school at Tuskegee, founded by the legislature of Alabama, under an act

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passed in 1880 to establish a normal school for colored people, with an annual State endowment of $4,500. That Alabama Normal School has been developed by the genius and character of Booker Washington, backed by the generosity of the good people of the North, into the great power for good it is to-day. In the city of Huntsville may be found the Agricultural and Mechanical College for colored people, to which Alabama is contributing $4,500 annually. In the county of Mobile is to be found a splendid system of public schools, with an average annual enrolment of about 6,000 white, and 4,000 colored, children. If you will examine the sources from which the money comes to support that system, which gives to colored children equal advantages, you will find that all but a small fraction comes from the pockets of white taxpayers, who cheerfully impose the burden on themselves. Is it, therefore, strange that, under such hopeful conditions,—in which the negro population of the South is advancing both in wealth and education,—Presidents McKinley and Roosevelt should have made peace with the South upon the basis of the new constitutions? Never was a hand raised by either against the settlement which they embody. Certainly, for twelve years the record of that settlement has been a sealed book which can never be reopened by anything less than a political revolution. That the North has no inclination whatever in that direction was recently made manifest when, in a Congress overwhelmingly Republican, all efforts to reduce the representation of the South, on the old ground, perished in a temperature below the freezing-point.

On November 7th, Mr. Wyndham R. Meredith, of Richmond, Virginia, made public a letter from President Roosevelt in which he had said: "I do not believe there is a single individual of any consequence who seriously dreams of cutting down Southern representation, and I should have no hesitation in stating anywhere, and at any time, that, as long as the election laws are constitutionally enforced without discrimination as to color, the fear that Southern representation in Congress will be cut down is both idle and absurd." As Mr. Taft was a leading factor in the Administration that thus made peace with the South, upon a basis devised by herself as the best and only one possible, has any one the right to doubt his cordial approval of the existing concordat? Certainly, his recent addresses to the people

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of the South indicated an earnest desire upon his part to see that section a part of the Union in the full sense of the term. Since the above was written Mr. Taft, at the banquet given him in New York by the North Carolina Society on December 7, said:

"I believe that the movement away from political solidity has started, and ought to be encouraged, and I think one way to encourage it is to have the South understand that the attitude of the North and the Republican party toward it is not one of hostility or criticism or opposition, political or otherwise; that they believe in the maintenance of the Fifteenth Amendment, but that, as already explained, they do not deem that amendment to be inconsistent with the South's obtaining and maintaining what it regards as its political safety from domination of an ignorant electorate; that the North yearns for closer association with the South; that its citizens deprecate that reserve on the subject of politics which so long has been maintained in the otherwise delightful social relations between Southerners and Northerners as they are more and more frequently thrown together.

"We believe that the solution of the race question in the South is largely a matter of industrial and thorough education. We believe that the best friend that the Southern negro can have is the Southern white man, and that the growing interest which the Southern white man is taking in the development of the negro is one of the most encouraging reasons for believing the problem is capable of solution.

"On the whole, then, the best public opinion of the North and the best public opinion of the South seem to be coming together in respect to all the economic and political questions growing out of present race conditions.

"The recent election has made it probable that I shall become more or less responsible for the policy of the next Presidential Administration, and I improve this opportunity to say that nothing would give me greater pride, because nothing would give me more claim to the gratitude of my fellow citizens, if I could so direct that policy in respect to the Southern States as to convince its intelligent citizens of the desire of the Administration to aid them in working out satisfactorily the serious problems before them, and of bringing them and their Northern fellow citizens closer and closer in sympathy and point of view."

In the light of such cordial and sympathetic assurances from such a man, who can doubt that the South can rely as confidently upon his co-operation in the final solution of the grave problems before her, as she could rely upon the co-operation of any other statesman of any other party who might fill the Presidential office? Here we have the gist of the whole matter. The reason, the motive that prompted the organization of what is known as the Solid South has ceased to exist,—as a sectional political combi-

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nation it lost its *raison d'être* with the attainment of the end for which it was designed. The South is now free to work out her destiny and to look out for her real interests, untrammelled by a force that for a long time condemned her to political isolation.

The direct and practical purpose of this article is earnestly to maintain that the time has arrived for the South to end the attitude that isolates her politically from the rest of the Union, for the simple and conclusive reason that that attitude, once vitally necessary, has lost its right to be. The time has arrived for the South to emancipate herself from the deadly one-party system which, while excluding her from political communion with the rest of the Union, at the same time strangles the political genius that was once the basis of her power. The time has arrived when the South must say to both of the great national parties that she is no longer a pocket-borough that belongs to either, but an open and unbiased field in which each, with equal opportunity for success, may struggle for the intellectual mastery of her people. Above all, the time has arrived when every Southern man, without being menaced by the banished spectre of the negro question, must be permitted to be in the South, as is every man in the North, a Democrat or a Republican, according as his real convictions lead him one way or the other.

The immense development of the manufacturing and mining interests of the South has wrought a revolution in her economic conditions,—a revolution that places large sections of her territory in the same boat with Massachusetts and Pennsylvania, so far as tariff legislation is concerned. Twenty years ago, the writer heard an eminent citizen of Philadelphia say at Mobile that the day would come when Alabama iron would undersell that of his State in her own markets. That result has happened already. The day is not far distant when Alabama's Birmingham district will rival that of which Pittsburg is the centre. Let us fancy that, in the near future, struggles over the tariff may force those two great and growing mineral districts to form a political coalition that will nominate Senator Knox, of Pittsburg, for President, and Senator Johnson, of Birmingham, for Vice-President. Would it take long for Northern prejudice against a Southern Vice-President to perish under the magic touch of a mutual interest? All we need is a beginning; at the

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first blast, the empty shell of what is still called the Solid South will collapse.

Such a change should have no effect whatever upon the corporate existence of the two great parties upon which, as opposing forces, the health of our political life depends. Every patriotic American, regardless of politics, should rejoice to know that the unity of the Democratic party has been re-established, because without two such organizations representative government cannot go on in the normal way. Seldom in its history has the Democratic party had a more brilliant or persistent leader than the famous tribunitian orator from Nebraska, who wears at his buttonhole the white lily of a spotless life. But it is no more to the interest of Mr. Bryan or Mr. Parker again to lead the Solid South, fringed with a few feeble Western States, to inevitable disaster than it is to the interest of the South to court such disaster.

The Solid South has ceased to be of any value to anybody. The time has arrived when the dullest and most bigoted mind must perceive that political readjustment and realignment are for the South an imperious necessity. The solidity of the South, on sectional lines, is a calamity to the nation as a whole, because it prevents the reincorporation of a section, once in revolt, in such a way as to wipe out the last vestiges of the Civil War. The solidity of the South, on sectional lines, is a calamity to the South herself: first, because it makes political success on that basis impossible; second, because it keeps her in the attitude of a conquered province, so far as the eligibility of her leading statesmen for the supreme offices is concerned; third, because it dwarfs her political genius through abnormal conditions that prevent that kind of competition out of which her great men arose in the past. While the South still has many very able men at Washington, the comment is general that the one-party system is thinning their ranks every year.

The next eight years are to be vitally important in the economic history of the South. Her growing manufactures, her rapidly developing mineral resources, her swelling cotton crop are to be touched at many points not only by the internal legislation that will proceed from Congress, but by that far-reaching foreign policy that is extending our destiny beyond the limits of this hemisphere. The South stands in a special relation to

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the territorial expansion that followed the close of the Spanish-American war, and to the commercial expansion that now includes the Antilles and the States of Central and South America. In 1899, the imports from Latin-America were $154,495,834; the exports, $97,391,898,—total, $251,887,732. In 1907 the imports were $316,496,576; the exports $237,840,676,—total, $554,337,252,—an increase of $302,449,520. No true Southern heart can fail to be gladdened by the sight, at Mobile and New Orleans, of the wharves crowded as they are with steamships, bearing among other things tropical fruits from the lands to the south of us. Often on a busy day the trains necessary at Mobile to transport such products to the West, if placed end to end, would be a mile long. To that growing prosperity by sea the building of the Panama Canal is giving a marked impetus. When, after completion, that vast enterprise shall drop a dollar into the till at Boston, it will drop fifty into the tills at Mobile and New Orleans. When that new waterway is opened up to the Far East for Southern products peculiarly adapted to Oriental markets, the South will enter upon a fresh stage of progress whose possibilities can scarcely be estimated. In 1852, William H. Seward, forecasting, in a speech delivered in the United States Senate, the growing greatness of the Pacific, said: "Henceforth, European commerce, European politics, European thought and European activity, although actually gaining force, and European connections, although actually becoming more intimate, will, nevertheless, relatively sink in importance; while the Pacific Ocean, its shores, its islands and the vast region beyond will become the chief theatre of events in the world's great hereafter." With that "great hereafter,"—interlaced, as it now is, with the Panama Canal, the Philippine and Hawaiian Islands, and Alaska,—the future of the South is more intimately bound up than that of any other part of the Union. As the visions of her statesmen widen, they will see by the light of self-interest, in the not far-distant future, that the South has a special concern in the possession and development of every island we now possess in the Pacific Ocean. With the possession and development of that Pacific world, including the building of the Panama Canal, the trained statesman who will soon assume the headship of the nation has had a long and honorable connection. As he is specially committed to the advancement of this line of foreign

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policy in which the South is vitally concerned, would it not be wisdom upon her part to extend to him her earnest co-operation, apart from and above all partisan considerations? Is it not a good time for the South to make a new departure along the lines of her real interests? If she is ever to regain in this Union the vantage-ground which she occupied at the beginning of our national life, it must be through such a development of her material resources as will multiply her wealth and population.

When, in the Federal Convention of 1787, the struggle over the apportionment of representation was at its height, the larger or national States, with Virginia and South Carolina in the lead, vigorously opposed the equal representation in the Senate of the States as such. Speaking for Virginia, Randolph contended that population should be the sole basis of representation for both chambers; speaking for South Carolina, Butler said: "It was not supposed that North Carolina, South Carolina and Georgia would have more people than all the other States, but many more, relatively to the other States, than they now have. *The people and strength of America are evidently bearing southwardly and southwestwardly.*" Underestimating the dynamic energy of freedom in producing wealth and attracting and retaining population, the South was deluded at the time in question by the belief that swarms of emigrants were about to throng every path to the southwest, bearing with them power and affluence. But population swept on the other way, until the result was that the equal representation of the States in the Senate, which the South had so earnestly opposed, became her last refuge. In the light of that great mistake, the South should now understand that, if swarms of emigrants are to be attracted to the Southwest, laden with power and affluence, all local influences must be removed that forbid the free exercise of political opinion. The man who comes from the West or from New England to Georgia, Alabama or Mississippi must be assured in advance that he may bring with him, free from all social pressure, his political opinions. Why, then, should not the sons of the South, "native and to the manor born," be permitted to enjoy the same privilege.

Excepting only Washington, the South's greatest gift to the Union was John Marshall, of Virginia, out of whose sane and

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practical construction of the Constitution has arisen the jurisdiction now exercised by the Supreme Court of the United States. As one of his humblest disciples, the writer has from his youth up firmly rejected as illogical and harmful the opposite system of construction usually associated with the names of Jefferson and Calhoun. The one particular in which the writer has been able cordially to accept the distinctive views of Jefferson is that involved in his patriotic and far-sighted efforts as the founder of our existing system of territorial and commercial expansion. By the Louisiana Purchase—from his point of view an unconstitutional act—he assured our future greatness by doubling our domain; in his famous letter of October 24th, 1823, in which he drafted the so-called "Monroe Doctrine," he said: "I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico and the countries *and isthmus* bordering on it, as well as those whose waters flow into it, would fill up the measure of our political well-being."

Among the more thoughtful men of the South, who make a systematic study of the science of government and diplomacy, there is a large and growing body who perfectly understand (1) that John Marshall's rational and practical system of constitutional construction is a necessary element in our national growth; (2) that the Jeffersonian idea of territorial and trade expansion is the key to the South's future development. That large and growing body will not permit itself to be forced much longer to profess allegiance to a set of extinct political theories by the spectre of a danger that has passed away.

HANNIS TAYLOR.

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THE POSITION OF WOMAN.—I.

AN HISTORICAL RETROSPECT.

BY THE DUCHESS OF MARLBOROUGH.

BEFORE touching on woman's position as it is at present, or entering into any speculation as to what it may develop into in the future, let us ascertain woman's place in the community at the time when nomadic life formed itself into groups and, with the cementing of family ties, acknowledged woman to be supreme. And then let us follow her through the gradual narrowing and restricting of her sphere to the present day, when woman is at length attempting to re-establish the balance of primitive rights as well as to gain the economic and political equality civilization brings in its wake. Such a brief review will, at all events, make it clear to us that women were not in the first place looked upon as the weaker or more negligible quantity. True, they were not the fighting portion of the race, but they were the organizers, custodians, guardians and householders, transmitters of name and fortune, and, in many cases, electors and lawgivers as well.

Professor Thomas, in his interesting work, "Sex and Society," tells us that "the maternal system of descent is found in all parts of the world where social advance stands at a certain level, and the evidence warrants the assumption that every group which advances to a culture state passes through this stage."

In Australia and Africa, with few exceptions, descent was formerly reckoned in the female line; on the continent of America, in China and Japan traces of this system are found, and in parts of India it is still in full force. Among the American Indian tribes and the aborigines of Australia, missionaries and ethnologists are able to bear witness that "the women were the great power among the clans as everywhere else."

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As a natural consequence, laws of rank and property follow the strictest maternal type, and women had in some cases the right to dismiss their husbands, keeping the children to succeed themselves and be members of their own clan.

And, after the establishment of the male system, the women still held property—a survival from maternal times. A form of divorce pronounced by a husband was: "Begone! For I will no longer drive thy flocks to the pasture." Herodotus tells us: "Ask a Lycian who he is, and he will answer by giving his own name, that of his mother and so on in the female line. Moreover, if a free woman marry a man who is a slave, their children are free citizens; but if a free man marry a foreign woman, or cohabit with a concubine, even though he be the first person in the state, the children forfeit all rights of citizenship." "Then again the extraordinary honor, privilege and proprietary rights enjoyed by ancient Egyptian and Babylonian wives are traceable to an earlier maternal organization."

In explaining maternal descent, it has been generally assumed that it was brought about by an uncertainty of parentage; but Dr. Thomas comes to the much more satisfactory conclusion that "it is due to the larger social fact, including this biological one, that the bond between mother and child is the closest in nature, and that the group grew up about the more stationary female; and, consequently, the questions of maternal descent and promiscuity are by no means so inseparable as has been commonly assumed."

So much for women as the transmitters of name and wealth. Their powers of social control are most instructively set forth in Major Powell's account of authority as vested in the Wyandotte tribe of Indians. He says:

"The civil government inheres in a system of councils and chiefs. In each gens there is a council, composed of four women, called 'Yu-wai-yu-wa-na.' These four women councillors select a chief of the gens from its male members—that is, from their brothers and sons. This gentile chief is the head of the gentile council. The council of the tribe is composed of the aggregated gentile councils. The tribal council, therefore, is composed one-fifth of men and four-fifths of women. Further, the four women councillors of the gens are chosen by the heads of households, themselves being women. There is no formal election, but frequent discussion is had over the matter from time to time, in which a sentiment grows up within the gens and throughout the tribe that, in

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the event of the death of any councillor, a certain person will take her place. In this manner, there are usually one, two or more potential councillors in each gens, who are expected to attend all the meetings of the council, though they take no part in the deliberations and have no vote. When a woman is installed as a councillor, a feast is prepared by the gens to which she belongs, and to this feast all the members of the tribe are invited. The woman is painted and dressed in her best attire, and the sachem of the tribe places upon her head the gentile chaplet of feathers, and announces in a formal manner to the assembled guests that the woman has been chosen a councillor."

Thus we find that female influence persists as a matter of habit until the conditions of life change from peaceful to warlike, and, greater activity being found necessary, the male influence becomes perforce preponderant.

Professor Thomas's fascinating theory that "the nominal headship of woman, within the maternal group, existed only in default of forms of activity fit to formulate headship among the men, and, when chronic militancy developed an organization among the males, the political influence of the female was completely shattered," brings us to his conclusion "that, at a certain point in history, women became an unfree class, precisely as slaves became an unfree class, because neither class showed a superior fitness on the motor side; and each class is regaining its freedom, because the race is substituting other forms of decision for violence,"—a conclusion which brings us into more or less accord with the means of agitation and the powers of organization the women's freedom leagues are now instituting. Motor force, whether in logical argument or convincing facts, is being amply demonstrated by those ladies who are sacrificing their freedom, time, wealth and enjoyment for a cause in which they have not even the satisfaction of feeling that the whole of womankind upholds them. Women were superseded as lawgivers because the balance of power was transferred to the men, on account of the greater stimulus to activity induced by war. We would therefore look to The Hague Peace Conference to readjust that scale of influence by turning into less militant channels the motor activity which governs the occupations of the race.

Primitive women were, as we have seen, the guardians of their children, the transmitters of name, the custodians of wealth and, in many cases, the electors and lawgivers. As organizers and householders, they reigned supreme, and with them rested

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the responsibility of providing food when the hunter was unsuccessful. It was their duty to grow the grain and vegetables and to prepare it for eating. Not only did they cook the products of the chase, but the skin, horns and feet of the animals were theirs to use in various ways. Agriculture and industries were, therefore, started by women and lay in their province—they were in fact the universal providers, and to their organizing and productive powers men trusted absolutely.

Professor Thomas continues his theory in these words:

"Industries, in their very nature, handle and shape stationary stuffs, for the most part, and woman developed the constructive or industrial activities as a simple consequence of her more stationary condition of life. The formation of habit is largely a matter of attention, and the attention of woman being limited by her bodily habit and the presence of children to objects lying closer at hand, her energies found expression in connection with these objects."

Industries, in their primitive form, did not require the attendant concomitant of baby farms and crèches to enable woman to take part in the work nature seemed to have designated as hers.

The outcome of this closer attention of the woman to the industrial life is well seen among the ancient Hebrews, illustrated in Proverbs 31, verses 10-24. Woman had her province and was left its undisputed mistress as long as man had his catabolic energies sufficiently employed in the pursuit and killing of game. Once game became scarcer, life less nomadic and consequently more dependent on agriculture, man turned his activities to what had been the woman's share of work. With his greater strength and willingness to co-operate with his kind, he soon clears jungles and irrigates the land, and agriculture assumes such considerable dimensions and gains so much in importance that woman is relegated to doing man's bidding. On the Continent, especially in France, we still see signs of this dual working of the land, the woman undertaking the care of all within the immediate vicinity of the home, the man working farther afield.

Professor Thomas sums up this new phase as follows:

"The destructive habits of the male nature were thus converted, under the stress of diminishing nutrition, to the habits represented primarily by the constructive female nature, and the inventive faculty developed

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through attention to destructive mechanical aids was now applied equally to the invention of constructive mechanical aids."

This conclusion brings us a step farther; not only were women the first social organizers, but they also represented the constructive element in the community, and it was only when driven out by man's unemployed energy that they resigned their pre-eminence.

It is in my opinion the necessity to adjust herself to man, to be judged by his individual standard and to conform her whole personality to his ways of thinking, that has robbed woman of the power, strength and influence she could have exerted as a united and independent majority. Why should women have a standard of right and wrong adjustable to the moral sense of the men to whom they may happen to belong by purchase, as in earlier days—by marriage, as in modern. How can any logical sequence in mind or action be expected of woman under such prevailing conditions?

In nearly all the Oriental nations, faithfulness is the only virtue extolled in woman, the only one expected of her or seriously impressed upon her consciousness, and yet even that one stronghold of her soul could be destroyed at her husband's command, though she would be punished by death if she destroyed it without his permission.

What moral sense can be born of such an anomaly? Surely blind obedience is not the school to produce a sense of responsibility or a moral code fit for others than slaves, and is pernicious in the last degree to a sentient and thinking being. The Mohammedan religion degraded woman excessively, consigning her, as far as psychic qualities are concerned, to the level of beasts, forbidding her forever the hope of future salvation. Man is taught to regard her as conducive to his comfort and pleasure, but in no manner necessary to the development of those higher flights of ambition, utilitarianism or philosophy his mind may lead him to. Is this attitude to be traced to the industrial value of women, which, from the earliest times, induced men to bargain for their wives, and, as they grew richer and the scope of their trade increased, to contract more than one marriage in order to increase their means of production? Very possibly, as in patriarchal days, this lust of gain and of new conquests and the wish for more descendants lay at the root of the system. An idea

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has even been projected that, if women gain the franchise, England will become addicted to polygamy—women being in the majority by a million and a half, and every woman insisting on the right to part of a husband. But the industrial value of woman in the upper and middle classes has so greatly decreased that it is to be feared more than one wife will hardly meet with favor in the eyes of the man who has to dress, feed and amuse her.

As we study the position of women through the course of history, beginning with patriarchal days and proceeding with the women of Greece and Rome to the advent of Christianity, we shall see how in primitive organizations it was always woman's industrial value that governed her position, and made her the chattel, first of her father, then of her husband; and how, as civilization progressed, and woman became less of an asset in the production of wealth and more of a power as a co-partner and co-inheritor, her position changed from one of dependence to one of importance, and ended in one of almost perfect equality with man.

The dominant characteristics the Hebrew women seem to have possessed from Sarah to Jezebel, Esther and Mary Magdalen, were loyalty and intelligence, and it is through these more than any other qualities that they gained their ascendancy.

They were educated and thrifty; valor was a quality that did not unsex. Deborah, minstrel, judge and soldier, carried the Israelites to one of the great victories of the world, and it is difficult to conceive a grander hymn of praise than Deborah's song of victory.

Miriam's character has a marked individuality. "She is not a feminine cipher, a mild nonentity, a mere appendicle of man. She is a person of force, with a mind and a will of her own, and she rounds out the primitive possibilities of a woman's career to the full."* As a nurse, sister, wife and mother, she is equally admirable, and in the public sphere she shines as a leader and is recognized as a power among men. Listen to Miriam as she sings one of the oldest national anthems in the world after the destruction of Pharaoh's host in the Red Sea. It is curious to reflect that the Israelite women were so soon to avail themselves of the freedom to take part in public life, and to exercise their right to participate in religious ceremonies

* "Women of the Bible," page 186.

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and national festivals in accordance with Egyptian custom and tradition.

Then see her together with Aaron stirring the people to revolt against Moses, and remember it was her influence with the people that was most feared. When she died, she was given a costly public funeral, and they mourned for her for thirty days. As the prophetess and heroine of the Exodus, she was a forerunner of the coming woman.

Although she was not endowed with any popular characteristic, Sarah was remarkable for the esteem in which she was held by Abraham and his people. During her sojourn at Pharaoh's court, she was an active missionary of the new faith among women, as Abraham was among men, thus establishing a purpose in life by adopting her husband's career as her own and in working with him for the same end.

Jezebel, the Lady Macbeth of the Hebrews, whose pride, indomitable courage and set purpose for a time daunted even the fearless Elijah, proves the giddy height of power to which a woman's ambition and determination could in those days lead her. One cannot but concede a certain meed of admiration to her prodigious force of intellect and will, of which her tragic ending cannot rob her.

These varied types exhibit the different qualifications under which Hebrew women won distinction from their contemporaries, and are in themselves convincing refutations of the theory that women are meant by nature to play minor rôles in the world's history. Hebrew women held their own as prophets, lawgivers, soldiers and judges without in any degree impairing the foremost and most distinctive quality in womanhood.

In no time, among no people, was motherhood esteemed more sacred; and yet the Jews were also carefully observant of woman's rights:

> "And the Lord spake unto Moses, saying: 'The daughters of Zelophehad speak right; thou shalt surely give them a possession of an inheritance among their father's brethren; and thou shalt cause the inheritance of their father to pass unto them. And thou shalt speak unto the children of Israel, saying: "If a man die and have no son, then ye shall cause his inheritance to pass unto his daughter."'"

Women did not agitate for nothing in those days.

Again, a woman taken captive by the Israelites, if she pleased

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her captor, could put off the raiment of her captivity, and, after a month's mourning for her parents, become the wife of her lord. Again, did she fail to please him, he could let her go wherever she wished, but he was not to sell her for money, "nor make merchandise of her because he had humbled her"—a very distinct advance in the respect due to woman, as is also seen in the indemnities paid by those who "brought up an evil name upon a virgin of Israel" without a cause. Again, men are urged to make themselves agreeable to their wives, especially during the first year of marriage. "When a man has taken a new wife, he shall not go out to war, neither shall he be charged with any business; but he shall be free at home one year, and shall cheer up his wife which he hath taken." Surely a very commendable attitude, and one likely to insure sweeter harmony and understanding, but a honeymoon of similar duration would hardly be acceptable to the modern man, nor would his business interests be likely to await his attention in so complacent a manner as the text indicates. The only reasonable alternative seems to be for woman to have her outside interests in similar fashion, and thus insure her from falling into slothful and lazy habits at the very beginning of her responsible life.

When we sum up women's position amongst the Hebrews, we find that they had as a body achieved the respect and admiration of men, so that the laws concerning their position and rights were not of a harsh character. Their influence had become wide, their capacity noteworthy, and their industrious, religious, moral and home life altogether worthy of emulation.

When we come to the Greeks, we find that the sphere and duties of women were as varied as the various forms of government and different schools of philosophy that flourished in the Peloponnesus. Each town had its principles, theories and differentiations, and every citizen conformed to the laws of his particular home. Athens and Sparta, being the best known and most widely divergent in their modes of government and schools of thought, will serve our purpose of investigation best. But there are certain characteristics that were common to all Greeks, the characteristics that are known as national and that bind together a country, whatever its intestine feuds, against the common enemy. These characteristics are traceable from the very beginning, and shine through the pages of Homer with a lustre

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and joyousness altogether captivating. The Pagan spirit, whatever its moral delinquencies, is one of entrancing happiness and gayety, and its direct appeal to nature, as the fountain of life and author of goodness, holds all the gracious trust of childhood together with the deeper philosophy of Pantheism. Their wondrous myths, so potent in charm, so effective in portrayal, have warmed the imagination of the world, and the statues of their gods and goddesses have been the models and envy of all civilization. Their cult of beauty and the sense of proportion it entails governed their spiritual as well as their material life—utility and appropriateness completed their judgment. Their religious rites partook of the beautiful, the joyous, the sensuous; all that elevated their spirits to perfect accord and harmony, all that nurtured happiness and lit the sacred flame of genius or of art, was to them religion. Their beautiful mountains and smiling plains they peopled with gods and heroes, and in every manifestation of nature they read a divine message. Poetical, imaginative, fearless and joyous, there was none of the melancholy cruelty of the North in their conceptions, and like their beliefs and their traditions, we find their attitude to woman gentle and forbearing. This is mainly to be accounted for by the divine power they attributed to love. If their gods could be overwhelmed by the passion to such an extent as to do things best left undone, how could they poor mortals withstand? A female Pythagorean philosopher, Periktione, writing on the harmony of woman, says, "For a wife ought to bear all the circumstances of her husband, whether he be unfortunate, or err in ignorance, or in disease, or in drunkenness, or have intercourse with other women, for this error is permitted to husbands, but no longer to wives, for punishment awaits them."*

In the beginning, morals were a matter of circumstance and propriety, but as time went on they became stricter owing to the rule of citizenship and birthright, and at length culminated in Plato's high conception of the Ideal State and its attendant virtues. It is interesting for our purpose to notice the advice given by a woman to her sex, and to know that these women were not only allowed to become philosophers, but also to practise the art, which in those days was held in the same esteem as the law would be nowadays. But to return to Homeric

* Donaldson, "Woman," page 5.

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days, when the law of right was might, it is not to be wondered at that woman, as the weaker and non-combatant partner, had no civic rights; she depended entirely on man—but man's rule of her was mild, gentle and compassionate. He treated her with chivalry, dignity and respect, and even when her foolishness involved wars such as the Trojan, it was not Helen who was blamed—her beauty had caused the trouble, and over that she had no control. An acceptance of facts and a belief in the sequence of cause and effect, together with a philosophy of human kindness, explains the Greek attitude towards women and towards life. Life was short and death long and dreary, therefore let them be kind and forgiving and thus make life worth the living. They loved their wives, and were monogamists by nature as well as in fact. Women in Homeric times were generally happy, and Penelope is only one of the many instances of a virtuous wife. Indeed, Greek literature is full of types of strong and splendid women, great in adversity, undaunted in danger. Euripides, although he hated women, has given us fine exemplaries, and in history, whenever woman shared death or suffering with man, she did so in a manner that left little doubt as to her endurance and self-control—revealing also a glory of self-immolation for a loved being unequalled by man. Woman then was free and contented, and the influence she exerted over man one that spurred him to great deeds and made him noble in her eyes. Women were expert in all domestic arts, spent a great part of their time out-of-doors, and were innocent and childish in their amusements. They were, in consequence, healthy, happy and often beautiful; there were none of evil repute, and if at times one of them lost her "sense of proportion" it was excused as a fit of madness. Such were the Homeric women.

Taking these race characteristics, we turn to the study of Spartan women in particular, of whom much need not be said, the system of their education being almost a text-book to the modern American girl, judging her from appearance and her *modus vivendi:* To be strong mothers of healthy children was the end ever before them and the explanation of their development. It is interesting to see with what whole-heartedness the Spartan women took up their share of this scheme, and how they co-operated with men in realizing that ideal state which unity of purpose is said to have built up. That women can combine to a

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given end and succeed magnificently is forever exemplified by the race of strong courageous men Spartan women produced for no less than five hundred years—a race whose prowess, beauty and physical endurance have never yet been equalled. They succeeded so well in their unity of purpose that they were accused by Aristotle of ruling the men, and there seems to have been truth in the accusation. "Many of the wives were better educated than their husbands, and the fact was noticed by others. 'You of Lacedæmon,' said a strange lady to Gorgo, wife of Leonidas, 'are the only women in the world that rule the men.' 'We,' she replied, 'are the only women that bring forth men.'" An answer which demonstrates the close relationship of idealism in man and woman, and the necessity of keeping woman's position and influence at its highest in order to produce the corresponding ratio in man.

In Athens we find the same ideal as in Sparta animating laws, customs and relationships. The purity and unity of the State, as the highest form of government in their minds, is still the *summum bonum* they aspire to. But in Athens they compass this end by totally different measures necessitated by varying conditions. Athens being to all purposes a seaport as well as a recognized centre of learning, art and civilization, foreigners came there in great numbers, and Athens grew into a cosmopolitan community. Now how could Athenians keep their citizens untainted from foreign blood otherwise than by harsh and drastic legislation meant to enforce the rigidity of legitimacy and a careful supervision of women. Association with a stranger could never become a marriage, and infidelity was punished with the most terrible disgrace. Men hardly knew their wives, who lived in seclusion both before and after marriage; they had no freedom or recreation, and their duties and education were limited to a strictly domestic sphere. There was little affection in these *mariages de convenance,* the wife being unable to become a companion to her husband as she was intellectually and morally his inferior. The domestic sentiment was feeble, and the ties of blood-kindred counted for more than those of marriage. It is curious that the strict Athenian laws concerning citizen women were so similar to those the Christians later laid down for their womankind, and that the result was in both cases the same. It would seem that the subjection of woman to harsh and un-

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natural isolation did not produce either fine or lovable women, and that it had the effect of disrupting the elements that compose a contented home. The women must in many cases have had natural intelligence and aptitude, otherwise there never could have been so many remarkable men as Athens at one time produced. But that their natural gifts were in no manner encouraged accounts for the fact that not a single citizen woman attained distinction in art, literature or science. They certainly attained the one distinction Thucydides grants woman. "Great," says Pericles, in his famous funeral oration, "is the glory of that woman who is least talked of among the men, either in the way of praise or blame." This harsh and unpleasant system produced a want another class of women at once rose to satisfy. The *hetæra,* or companion, who used the moral freedom permitted her in the city to establish herself as a power, and in spite of the opprobrium with which a non-citizen and foreign woman was regarded, in spite of the fact that she had no rights and that no law protected her, nevertheless succeeded in her object. Many of them exerted influence over the wisest and most prominent citizens, and gained reputations as brilliant, talented, intellectual and in some cases virtuous women. On the other hand, there were many amongst them who knew nothing of the higher aspect of friendship, who disdained or were too ignorant to use aright the power put into their hands, and who trafficked with the love of man for the furtherance of their own selfish and worthless ends. This is hardly to be wondered at when one reflects upon their peculiar position in an age when woman was considered too weak and foolish to survive unprotected. What is surprising is that there should have been a great number of women among them with so high a sense of honor, so developed an intelligence, so refined a temperament and so good a judgment. True, a certain number were well born, and came to Athens with the express purpose of gaining influence over statesmen, philosophers and artists, and in so doing gratifying their ambition in making history. Some achieved their purpose in forming a school of thought and in creating brilliant salons, centres of learning and wit; others by lending their beauty to the chisel of Phidias or Praxiteles, and the more fleeting brush of Apelles. Many of them have been traduced and slandered by the Comic writers of the time. These, because they wrote chiefly for men

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and were acted only by them, indulged in every quibble and heresy at woman's expense. It was natural that they should pick out the most prominent and talked-of women of the day at whom to hurl their venom, and many names, Sappho for one, have come down to us charged with opprobrium and connected with vices they very likely never were guilty of. But even their malicious slanders have left one character untarnished—Aspasia, the greatest woman Greece ever produced, as Sappho was the greatest poetess, stands out unharmed. It is remarkable to follow her career from the day she left Miletus to the day when Socrates, who in the "*Memorabilia*," acknowledges her as his teacher, and in whose dialogues she plays a prominent part, exclaims, no doubt inspired by her personality, "Woman's nature happens to be in no respect inferior to Man's, but she needs insight and strength." That Pericles, the greatest statesman Athens ever possessed, divorced his wife because of her, that she became his wife in all but status, that her son was made a citizen with full rights, are all matters too well known to record. What is more to our purpose is the remarkable influence she gained, not only over the men of Athens, but through the men and by their permission over their wives. That her salon, probably the first and most brilliant the world ever knew, should have been the favorite resort of Plato, Socrates, Sophocles, Euripides, Phidias and Anaxagoras, is an index to the capacity of her understanding, the charm of her intellect, and the powerful magnetism she exerted by her personality, even more than by her person—her busts do not show her a very beautiful woman. Still more remarkable is the fact that the dignity of her womanhood should have so greatly impressed these disciplined Greeks as to bid them depart from principle and precedent and bring their wives to her, so that she might instil her ideals into them and instruct them in the duties of a wife and mother, which in her understanding and attainment she had carried to their utmost perfection. What did she teach these poor prisoners of convention, unto whom her message of liberty, knowledge and moderation must have seemed as the prelude of some sweet harmony to which they had not the key-note? Was she able with her knowledge of human nature, her instinctive reasoning and quick perception to indicate to each where lay the dominant note; to show their hesitating minds where gleamed the light; to guide

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them through the shadows to the effulgence of that perfect understanding she and Pericles had found? Was her influence bent only on raising them from the status of house-wives to that of companion-wives? Or did she venture further and point out where woman's path lay outside the four walls of her home? Was she the first suffragist, and did her political ambition include women as well as men in the sphere of her influence? There is little doubt some of these theories must have actuated her teachings, or she would not have been tried for impiety and only acquitted through the impassioned pleading of Pericles, who on this one occasion accompanied his entreaties with tears. There is no doubt that Aspasia foresaw that a city in which the mothers were held in so little regard, and were allowed to wield none of that influence childhood requires, must sooner or later retrograde—and that during her lifetime she did her best to stem that great tide of foreign influence in which the *hetæra* after her death drowned all the good of her teachings.

Her greatest monument is to be found in the equal position assigned to woman as to man in Plato's "Republic"; and, with his words indicating the tremendous stride public opinion had taken in favor of woman, we sum up Aspasia's life-work. "And so," he says, "in the administration of a State, neither a woman as a woman nor a man as a man has any special function, but the gifts of nature are equally diffused in both sexes; all the pursuits of men are the pursuits of women also, and in all of them woman is only a lesser man."

CONSUELO MARLBOROUGH.

(To be Continued.)

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THE FUTURE OF AMERICAN ART.

BY BIRGE HARRISON.

We hear with increasing frequency to-day the statement that art is universal and without a country; that, being the record of abstract beauty, it cannot be confined within stated geographical limits; that the terms "French art," "English art," etc., are therefore absurd. Art is art *tout bonnement,* and that is all there is to it.

According to these critics, the mere fact that a man with the temperamental sense of beauty chances to be born in France or in Holland does not necessarily make him a French or a Dutch painter. If the Frenchman were brought up in Holland, and the Hollander in France, the Frenchman would then inevitably belong to the Dutch school and the Dutchman would develop as a French impressionist. Each, being temperamentally sensitive tc beauty, would simply respond to the appeal of his environment.

Now, if this is correct, there could, of course, be no such thing as American art. But that there is such a thing—an art which would have been impossible but for the evolution of the American man, as distinct from the men of Germany, France, Spain or even England—is precisely what I hope to demonstrate in the present paper. And that this American art is destined to grow rapidly in power and distinction, until it occupies for its little time the foremost place in the world of art, is not, I think, beyond the power of reasonable demonstration.

Let us first clear the ground by rehearsing those points upon which both parties are agreed.

All admit, of course, that art is the record of beauty in some one of its myriad forms, be it a Persian rug, a Japanese ceramic, a Greek statue or a modern oil-painting. In each case, if the beauty is of a sufficiently high order, the result is art. We all

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admit also that art is personality—that nature is only the crude material from which art is made. This crude material must be fused in the alembic of the human soul, mixed with the alloy of temperament and colored with the artist's personality before it can be poured out into the final mould and receive the name of art. It is the artist's personality, in other words, that makes the art. And just according to the beauty or the individuality of his temperament will be the beauty or the individuality of the artistic result. If he be a poet, like Corot, the result will be a poetic and delicate interpretation of nature. If he be a colorist, like Monticelli, the result will be some such gorgeous mosaic of splendid color as that wonderful painter gave us. If he be an intellectual of the fine, clean-cut Puritan type, such as St.-Gaudens, the result will be something akin to the Sherman monument that dignifies the entrance to Central Park in New York.

But just here comes the dividing line between the contending factions. *What is personality?* One group declares that personality is simply temperament which plays free within the artist's soul; and, working upon whatever chance material its environment affords, transmutes this crude material into the fine gold of art. The opposing group, while admitting that the basis of artistic personality is temperament, asserts that this temperament is bound hand and foot by the inherited traits and characteristics of a thousand ancestors, and that the Frenchman brought up in Holland would therefore always remain essentially a Frenchman, in spite of his Dutch surroundings. They claim also that racial personality is just as important a factor in all good art as individual personality. They assert, moreover, that no artist can possibly shake off the racial chains that bind him, and that any attempt to do so could only result in some monstrous hybrid or some feeble imitation not deserving the name of art.

Each artist is, first of all, a unit of some specified human group or race. Therefore, if he truly and conscientiously records his own impressions, he will also record the accumulated impressions of the race to which he belongs. That he does this is amply proved by the fact that any reasonably expert judge will tell you whether a picture belongs to the French or the Dutch or the Scandinavian school, without knowing the name of the painter, or anything more of the picture than the canvas itself discloses.

It is impossible, therefore, to avoid the conclusion that racial

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individuality in art is fact—and a very real and solid fact at that. In some of our modern schools of painting, this racial character is so strong as to quite dominate and submerge the individual note, so that it is often difficult to distinguish the work of one well-known painter from that of some equally celebrated fellow artist. This is particularly true of the Dutch school, for instance. In fact, the whole art of the Netherlands is so intensely "Dutch" that we may know the characteristics of the Dutch people as well by studying their art as by reading all that has been written about them.

Now, it is a curious thing that, while we in America have, for the past twenty years, been discussing the question of whether any such thing as a national school of art exists here, in Paris "*l'Ecole Américaine*" has for fully as long a time been recognized as a distinct school, with a marked personal note of its own. And it must be remembered that this verdict was based upon a very partial and imperfect knowledge of American art even as it then existed; for the "American School," as it was known to the French writers of 1885, embraced only a certain number of young American artists who were living in France, and whose whole art training had been received in Paris under exclusively French influences. In spite of this fact, the French critics felt in the work of Sargent, of John Alexander, of Melchers, of Alexander Harrison and of St.-Gaudens, an exotic note, a new point of view, whose chief characteristic was an unusual directness and clarity of vision, coupled with a corresponding simplicity of statement.

A great French painter once said to me: "You Americans have one great advantage over all others. You have no traditions. You can look straight at nature out of your own eyes, while our vision is clouded and obscured by the inheritance of a thousand years."

If to the above list of names we add a few others,—Winslow Homer, Homer Martin, John Lafarge, George Inness, Alexander H. Wyant, all those of painters who were at that time in the full height of their powers, but who were established at home on this side of the Atlantic,—it will be seen that the French were not mistaken in announcing the appearance on the Western horizon of a new and entirely original school of art.

Since the date above mentioned, art in America has made such

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rapid strides that a roll-call of American artists of the first class taken to-day would have to include three or four times as many names as could have been mustered in 1880. And it is a significant fact that this increase in the number of American artists, and in the quality of their output, has been coincident with a phenomenal decrease in the number of really great artists at present practising abroad. This decrease has been particularly marked in France, which, during the larger part of the nineteenth century, certainly led the world in all matters connected with art. Yet in France to-day we will search in vain for any such body of painters as made up the wonderful school of Barbison, which, in the fifty years beginning with 1830 and ending with 1880, gave the world the greatest art it has seen since the Italian, Dutch and Spanish rennaissance of the sixteenth century.

It could hardly be expected, I suppose, that this glorious time of blossom and fruitage should repeat itself in France during our own time. Indeed, all history has shown that things do not so happen in the domain of art. Art is a plant whose seed germinates only under certain special and favoring conditions. These conditions are really epochal in their character, and they rarely recur in the life of any one nation; or, if by some specially happy chance they do repeat themselves, it is only after the lapse of many centuries.

To every energetic people there comes sooner or later a time of great material prosperity; it may be as the result of successful wars, of territorial expansion or of commercial supremacy. Whatever the cause, this period of prosperity is invariably accompanied by a tremendous mental stir and awakening, and this, in turn, is followed by a magnificent outburst of art, which lasts for fifty, or maybe a hundred years, and dies away as it came.

Now, if ever in the history of the world conditions have been ripe for the birth of a great art movement, they are so in America to-day. Titanic forces have been at work for a century preparing the way, extracting untold wealth from a virgin soil; increasing this wealth an hundredfold by the help of marvellous scientific and mechanical genius; conquering, with the irresistible impulse of a new people, every physical obstacle that lay in their way, and building up the richest and most powerful community the world has ever known. Its early struggles are now

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apparently over, and its surplus wealth is daily increasing. The average of comfort is high and the physical well-being of the people seems practically assured. Whenever in the course of history a nation attains to this stage of development, it begins to reach out towards the ideal, to demand more of life than simple food and shelter.

This is precisely what is taking place in America to-day. There is a growing demand for beauty in all its forms; for the adornment of our public buildings;—for galleries of paintings and statuary; for museums containing porcelains, bronzes, textiles, prints and objects of art of all kinds—a demand so insistent that our municipalities and our legislatures are everywhere beginning to respond to the call of the people. This movement, which may be said to have started a scant ten years ago, is spreading rapidly all over the country. To the art museums in cities of the first class, such as New York, Philadelphia, Boston, Chicago, Cincinnati and St. Louis, have already been added museums or regular yearly exhibitions in many cities of the second or third class. Among these may be mentioned Pittsburg, Worcester, Buffalo, Toledo, Minneapolis, Kansas City, Atchison, Richmond, Charleston, Atlanta, Memphis, Oakland and Seattle; while every year a number of names is added to the list. Unless all signs fail, therefore, we may expect during the current century an unprecedented demand for art in the United States, and we are certainly justified in assuming that native artists of the first rank will arise to meet the demand.

Conceding this much, it will be interesting, and also I think quite possible, to forecast the general trend of the movement and the general character of the new art—for new it is bound to be.

If the American painters of thirty years ago had been separated into two groups, the figure-painters on one side and the landscape men on the other, the balance would have been found to be fairly even. If the same thing were repeated to-day, fully two-thirds of our ablest painters would be found in the camp of the landscapists. This shifting of the balance is most significant, for it shows a new drift, a tendency on the part of our artists to carry their easels out into the open; to paint, or to try to paint, all of the shimmering, iridescent effects that happen only under the great blue arch of the sky; the glory

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of the noonday sunlight, the pale beauty of the dawn, the golden glow of sunset and the brooding mystery of night.

Why, we may ask, this change of direction? The answer is simple: the artists have discovered that most of the unsolved problems of art lie in the open air. They know by instinct that art, to be alive, must move ever forward towards some new goal. If it remains in one rut, it stagnates or dies. The end of every great art movement has come when its living, rushing, turbulent waters have been congealed into icy formulas—rules of thumb by the use of which the mere artisan can produce a sort of near-art which is necessarily without vitality or charm. The true artist must always be an innovator, a pioneer in fresh fields, an adventurer seeking new Eldorados. If he now goes afield, therefore, it is because he knows that in the domain of indoor figure-painting there are few undiscovered countries. This branch of art was exploited long ago by the old masters, and their achievements were so transcendently great that any modern painter who sets out to equal or excel them in their own chosen line must be endowed with a large share of courage and self-confidence.

The old masters, however, knew nothing whatever about landscape. Indeed, it is curious, when you come to think of it, that artists whose vision was so wonderfully true in the diffused light of the studio should become suddenly blind on stepping across the threshold and out into the open sunlight. For this there is only one reasonable explanation—if the old fellows knew little about landscape they cared less. Their concern was with humanity; its joys and its sorrows; its loves and its passionate hatreds; its wars; its pageants; its faiths and its superstitions. Landscape to them was never more than a stage setting, a background against which the human puppets played their parts. Viewed simply in this light, however, it was not only adequate, but frequently artistic and admirably beautiful. Nevertheless, it was not landscape at all in the modern sense of the word—landscape as we know it. It was conventional in form, false in color and devoid of atmosphere and luminosity.

Not until more than a century later, and then in far-away England, did the first true school of landscape make its appearance. A small group of painters, the best known of whom perhaps were Constable, Chrome and Bonington, went out into the

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fields, and brought back pictures which were the first true impressions of outdoor nature ever placed upon canvas. Their achievement was unique. Indeed, it was one of the most astounding intellectual feats of all time, and it has never received a fraction of the praise which is its just due. Art, be it remembered, is a thing of infinitely slow growth, each school building upon the foundations prepared by its forerunners, each generation adding its mite to the general store of knowledge and experience.

The English portrait men of the same period, for instance, although fine painters, simply followed in the tracks of the old masters. There is nothing especially original in the canvases of Reynolds, Gainsborough or Romney. But this little band of landscapists, with no artistic parents, with no predecessors to point out the way, suddenly evolved a totally new art out of thin air. Their discoveries, it is true, were confined to the realm of color, but their achievements in that domain were sufficiently remarkable to give England a place which she could never otherwise have had among the art-producing nations of the world. They were the first to see and to record the pearly tones of outdoor nature, and their technical bequest to posterity was an extended gamut of grays and mauves and lilacs which remain upon the artist's palette to the present day.

A scant half-dozen of their pictures drifted over to France, and there became the inspiration of a new art movement, which finally resulted in the great school of Barbison. Millet and Troyon, Corot and Rousseau incontestably produced greater work than Chrome and Constable, but their pictures were all painted on the lines marked out by the Englishmen. Indeed, it is questionable if we should have ever had a Barbison school had it not been for the iconoclasts across the Channel.

While the great Barbison school of painters was still in its prime, there appeared upon the artistic horizon another band of innovators who have since become known as the French Impressionists or Luminists. They were in reality, as their name implies, painters of light, and their technique was founded upon the scientific principle that light is essentially prismatic. White, being made up of the three primary colors—red, yellow and blue—should so be painted, they declared, the three pure pigments lying side by side upon the canvas—and the same with red, with yellow, with blue, with green; always and everywhere the three

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colors of the rainbow shimmering, interlocking, playing back and across one another in a scintillating dance of color that is at first disconcerting to the uninitiated, but which, viewed from the proper distance, produces an effect of atmosphere and of light never before obtained from a painted surface. The work of these men really seems to vibrate with light, and the word "vibration," first employed by them, has now been permanently added to the artists' vocabulary. Under the leadership of Pizarro, Sisley and Monet, they delivered a message which future artists can never afford to ignore.

But, while their discovery is sound in principle, no entirely satisfactory technical method of applying it to the painting of pictures has yet been discovered. It is certain that the dots and dashes and cross-hatched strokes of pure color generally used by the Luminists do not render the effect of nature as seen by the ordinary cultivated eye. The veteran Monet himself lived long enough to recognize this, and in his more recent work he has abandoned his early militant method, while retaining the general principle of broken color.

This is one of the unsolved problems of art that we Americans have to work out. Another is the question of how best to convey the impression of motion upon the rigidly quiescent surface of a canvas. This has never been accomplished, but to assert that it is impossible would be a hazardous statement. Still another problem derives from the limitations of the human eye. A good photographic lens will see every leaf upon a tree or every individual in a crowd of ten thousand people. The human eye can see at best but a dozen or two of leaves or people, the remainder producing the effect of a more or less indefinite blur. How is the effect of this blur to be rendered with just sufficient definition to produce the same effect upon the spectator? It is quite certain that other problems will arise, problems as unsuspected today as was the prismatic theory of light a hundred years ago. In a case like this it is impossible to particularize. One small discovery frequently leads to a much greater one, and the only thing we can predict with certainty is that the unexpected will occur. But we do at least know that the door is ajar, that the glorious sunlight is out there, just beyond, and that nothing can keep us longer cooped up indoors.

Probably one chief cause of this universal return to nature

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is the fact that our lives are not, humanly speaking, so beautiful as they once were. Our clothing is no longer picturesque. The advent of farm machinery has destroyed much of the pastoral and bucolic beauty of country life. The sowing and reaping and binding and threshing that were done by hand in the old days with such splendid rhythmic swing of muscle are now matters of revolving wheels and clattering chains and knives. Even our buildings have deteriorated—at least from the artist's point of view; for the comfortable villa farmhouse of the present day does not cling lovingly to the soil and become part of the environing landscape, as did the spreading low-hung buildings of our fathers. And so, to quench the eternal thirst for beauty in our souls, we must needs return once more to kindly nature, whose beauty is exhaustless and everlasting. Her skies have lost none of their early crystalline charm of color; her hills and her rock-bound coasts are as grand as ever; her trees, her rivers and her spreading fields are as beautiful and as appealing now as in the days of Hesiod. But, precious beyond all other things, her exquisite and ever-varying effects—that happen because of the change from night to day and from day to night again—are spread out always before us, an endless feast of beauty for those who have eyes to see and minds to appreciate.

Nevertheless, it is quite possible that, in the very changed conditions of our civilization, there may lurk wonderful and hitherto unsuspected opportunities for our future artists, and especially our figure-painters. There is certainly a strange picturesqueness in some of our modern steel-mills, with their cyclopean forces at work against backgrounds of whirling steam and glowing furnace. Even our sky-scrapers have an unusual beauty of their own, and the sky-line of lower New York is far from being ugly or uninteresting. Another field that is replete with possibilities is the teeming and kaleidoscopic life of our city slums, which the inexorable law of migration has crowded with strange peoples from the far corners of the earth; peoples who are as yet unassimilated, who still wear their exotic costumes and live their strange, foreign lives in our very midst. There has already been some attempt to use this exhaustless material (unfortunately, as yet, without adequate technical skill), but when the trained master shall paint for us the life of our streets with all its vital and original character, we will welcome his

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pictures as a priceless addition to the world's store of precious things.

I have as yet made no mention of mural painting, which is, of course, destined to occupy a very important place in the art of the future. Thousands of new public and private buildings all over the country will call for decoration, and I have no hesitation in predicting that the opportunity thus afforded will result in some bewilderingly great discovery in advance of our present-day knowledge of that art—a step in advance at least as important as that made by Puvis de Chavannes when he painted the out-of-door atmosphere upon the walls of the Pantheon in Paris. It is at least certain that the advance in this same direction will be pushed much farther, and that open-air effects and open-air tones will be used with increasing frequency by our mural painters, because on this line only can they hope to achieve any notable advance over their predecessors.

The fact is that the open has claimed us as a people! We devote ourselves with ever-increasing enthusiasm to out-of-door pleasures and out-of-door pursuits; we have learned to love out-of-door nature and out-of-door beauty. It is our best achievement as a nation; and our artists in this are, therefore, simply leading the van in the march of modern civilization.

BIRGE HARRISON.

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PROGRESS OF CAMPAIGN-FUND PUBLICITY.

BY PERRY BELMONT, PRESIDENT OF THE NATIONAL PUBLICITY LAW ORGANIZATION.

After the close of the Presidential election of 1904, an article appeared in The North American Review, in February, 1905, drawing attention to conditions then prevailing in respect to campaign contributions and expenditures, their excessive amounts and especially the harmful and corrupting effects of the secrecy attending them. The enactment of a Federal law, effectively supplemented by State legislation providing for the publication of such contributions and expenditures by National, State and local campaign committees, was urged. On motion of Senator Tillman, the article was ordered to be printed December 16th, 1905, as a Senate Document (No. 89). Fortunately, the arguments then advanced need not now be repeated. The purposes of the article have been practically accomplished, although Federal legislation upon the subject remains unsecured.

Shortly after the appearance of the article, associations were organized to promote such legislation in Congress and in those States where publicity laws did not exist. As the New York statute of 1890 merely required reports of the expenditures of candidates without reference to the amounts contributed to political committees or to the expenditures of such committees, it was determined to secure, if possible, the enactment of an effective publicity law by the New York Legislature, and a State organization for that purpose was formed. It included in its membership members of the Democratic and Republican National, State and County Committees, representatives of organized labor, a number of representative members of the New York bar, among them Charles E. Hughes, Counsel of the Insurance Investigation Committee, and others. The Law Committee of this organiza-

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tion—consisting of Charles A. Gardiner, Chairman, John F. Dillon, Ex-Governor Frank S. Black, Francis Lynde Stetson, John S. Crosby, John Ford, Edward Mitchell, Edward Lauterbach, Edward M. Shepard, Comptroller Edward M. Grout, John G. Milburn, DeLancey Nicoll, John R. Dos Passos and Martin W. Littleton—prepared a publicity bill, which was incorporated with certain provisions relating not especially to publicity, but to the subject of corrupt practices acts which were proposed by Judge D. Cady Herrick and others, who afterwards formed an organization headed by Mr. Seth Low and who have accomplished much for the enactment of such legislation and continue effective work for its enforcement. The bill thus framed was introduced in the Senate in 1905 by Senator Brackett and in the Assembly by Assemblyman George M. Palmer. Provisions relating to corrupt practices, being considered too drastic, were stricken out of the measure, which then passed the Senate in the form recommended by the Publicity Law Organization, and was favorably reported by the Judiciary Committee of the Assembly. Owing to the amendment of the bill in the Assembly during the closing days of that session, its final passage was rendered impossible.

Before the assembling of the succeeding Legislature, revelations before the Insurance Investigation Committee in regard to contributions to political committees by life-insurance and other corporations aroused an irresistible demand for remedial legislation. Under these circumstances, it was deemed necessary to carry to completion the work which had been inaugurated nearly a year previously, and to enlarge the membership of the organization. With that end in view, a meeting of the Publicity Law Organization was held at the Astor House on Monday, November 20th, 1905. Certain amendments were adopted and a new bill prepared, which was introduced in both branches of the Legislature at the opening of the session for the year 1906. Amendments were made by the Judiciary Committee of the Assembly which were fully approved by the Publicity Law Organization, in behalf of which the following telegram was sent to the Hon. Robert L. Cox, Chairman of the Assembly Judiciary Committee:

"After a meeting of our Executive Committee, at which the bill reported by the Assembly Judiciary Committee, of which you are Chairman, was considered, we desire to congratulate you and your associates on the public-spirited manner in which you have performed the duty

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devolved upon you in this difficult and important matter. The amendments you have incorporated in the bill, as originally presented to the Legislature at the instance of our organization, are in themselves evidence that your committee and our organization are in complete accord as to the main purpose of the proposed law."

A public hearing was accorded the bill by the Judiciary Committee of the Assembly on January 30th, 1906. It was pointed out that, at a meeting of the National Publicity Law Organization held in Washington on January 17th, 1906, nineteen of the States had been represented. As a result of the work and experience of the National Organization and the co-operation of those having practical experience in the enforcement of publicity laws in other States, the bill thus presented to the New York Legislature embodied the most effective features of this form of legislation. The attitude of the Governor, of the Attorney-General, and of the Chairman and members of the Judiciary Committees of the Senate and Assembly greatly aided the work of the New York State Publicity Law Organization. The bill passed the Legislature and was approved by Governor Higgins. The new law has, since its first operation, proved beneficial and fully attained the objects for which it was enacted.

The object of the National association, like that of the New York State organization, has been to secure publicity of campaign committee contributions and expenditures. Neither organization has concerned itself with so-called "Corrupt Practices Acts," which, as their title implies, are enacted to prevent infractions of the election laws and practices injuriously affecting the elective franchise. They are penal statutes to regulate the conduct of elections and the objects and amounts for which campaign funds can be lawfully expended. In joining the National Organization, Judge Gray, of Delaware, wrote as follows:

"Corrupt practices acts have been largely unavailing and seemingly incapable of being enforced. Compelled publicity as to contributions and campaign expenses will be more effective than all of them put together towards suppressing the evil of electoral corruption. It will work automatically and require no legal machinery of pains and penalties to enforce it. I mean that, when the publicity is once enforced, the beneficial results flow automatically, without the intervention of penal legislation."

A bill prepared by the National Organization was presented in the House of Representatives by Mr. McCall, of Massachusetts, and in the Senate by Mr. Patterson, of Colorado.

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The Executive Committee of the National Organization was composed as follows: James H. Wilson, of Delaware; J. G. Schurman, of New York; John H. Clark, of Ohio; Charles W. Knapp, of Missouri; William E. Chandler, of New Hampshire; A. H. Stevenson, of Colorado; Norman E. Mack, of New York; John E. Lamb, of Indiana; Charles S. Hamlin, of Massachusetts; Alexander Troup, of Connecticut; Cromwell Gibbons, of Florida; John W. Blodgett, of Michigan; Frank K. Foster, of Massachusetts, Secretary, Delegate for the American Federation of Labor to the British Trade Union Congress; James H. Lynch, of Indiana, President of the International Typographical Union; James Wilson, of Pennsylvania, President of the Pattern-Makers' National League.

The membership included Governors of most of the States, Presidents of our principal universities, and members of the National Committees of both parties.

The following constituted the Law Committee: John W. Thurston, of Nebraska; Charles A. Gardiner, of New York; John T. McGraw, of West Virginia; Louis E. McComas, of Maryland; Crammond Kennedy, of Washington, D. C.; Hannis Taylor, of Alabama.

The first report of the organization was presented to the Senate by Senator Patterson on January 8th, 1907, and ordered to be printed as a Senate Document (No. 195).

Members of the organization appeared before the House Committee on Election of President and Vice-President, during two Congresses. The bill promoted by the National Publicity Organization was passed, section for section, at the last session by the House of Representatives on the eve of the Presidential election, with not a dissenting vote on the part of the majority party, and would have been passed unanimously had not the Crumpacker Federal Election bill, a measure intended to enforce the Fourteenth Amendment of the Constitution and resisted as having a political purpose and not bearing directly upon the subject of campaign publicity, been added to it. This action prevented its receiving a single vote from the minority party or its consideration in that form by the Senate.

An important feature of the New York statute, intended to secure its practical enforcement and not contained in the publicity laws of any other State, was adopted in principle by the

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National Organization in framing the McCall bill as originally introduced, and provides that:

"If any person . . . or committee . . . fails to file a statement or account as above required . . . or files a statement which does not conform to the foregoing requirements . . . the Supreme Court, or any Justice thereof, may compel, by order in proceedings for contempt, such person or committee to file a sufficient statement or account. . . . Application for an order as prescribed herein may be made by the Attorney-General, District Attorney, a candidate voted for at the election in respect to which the allegations in such petition may relate, or by any five qualified voters who voted at such election."

This section of the law has already been put into operation with great benefit in the State of New York.

In discussions over the bill in Congress, our Executive Committee, in its desire to establish the principle of publicity in Presidential elections, decided to withdraw the corresponding provisions from the National bill, owing to apprehensions on the part of some Members of Congress that the United States Courts would be unnecessarily encumbered. The organization will certainly again advocate this provision in the development of this movement to establish uniformity in publicity laws, State and National.

All election laws and regulations are subject to evasions or violations, intentional or unintentional, but seldom has a first experiment under a new statute or regulation resulted in such public benefit or been so indicative of ultimate success. The purchase by secret campaign contributions of important Federal offices, at home and abroad, has been rendered more difficult, and a way of stopping it altogether has been provided. A check has been put upon the large secret contributions of corporations and individuals, with the understanding that political debts are thus incurred by party organizations. Stockholders and policy-holders no longer helplessly witness the expenditure of corporate funds for political purposes. Corporations and candidates are protected against exactions that were constantly increasing. The enormous and unnecessary campaign expenditures in recent years, affording opportunity and encouragement to corruption, have been materially diminished. It is now the accepted opinion that a contributor to a political committee has no right to secrecy. The false conception that in respect to political contributions the individual has the right to use his money as he sees fit no longer

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exists in disregard of long-established restrictions upon the use of money in elections. It is now admitted that campaign-fund publicity is not an unnecessary interference with alleged individual rights, and that publicity is essential in determining the propriety of motives prompting political contributions. The difference in principle is now fully recognized, distinguishing subscriptions to charitable and other organizations having limited relations to the public welfare from those made to political organizations entrusted with important public functions, and the powers of political campaign committees thus come within the purview of Governmental supervision. The publicity of campaign contributions and expenditures, the purpose and effect of which is to influence the elector in the exercise of a public function, is therefore regarded as an effective remedy and an indisputable public right. It is now acknowledged that campaign money is public money.

Secrecy of the ballot is based upon the necessity of protecting the voter from the coercion or inducement of improper influence. Campaign-fund publicity is required as equally essential and strikes directly at the existence of such influences. This is the fundamental principle for which the National Publicity Law Organization and its New York State branch have contended in promoting the enactment of a State law and in compelling the attention of Congress to the necessity of Federal legislation. At no stage of this movement has there been any open opposition in Washington. Even the controlling powers of the House of Representatives, not desiring legislation before the Presidential election, nevertheless did, in the manner already described, bring about the passage by the House of a bill containing all the provisions advocated by our organization for publication before and after election.

The Democratic National Committee at its meeting in December, 1907, adopted a resolution recommending the enactment of a Federal publicity law and approving the work of the National Publicity Law Organization. The minority party in the House of Representatives went so far as to filibuster in behalf of the Publicity Bill, and the Democratic National Convention adopted a resolution in its platform declaring in favor of campaign publicity, which was carried into effect in the course of the campaign by publishing the contributions and expenditures before and after

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election. The Presidential candidate of that party gave the movement his powerful support from its inception, appearing at meetings of the organization and before the Congressional committees in behalf of the Publicity Bill. The President-elect declared himself in its favor in the following letter dated April 30th, 1908, and addressed to Senator Burrows, the Chairman of the Committee on Privileges and Elections of the Senate:

"I sincerely believe that it would greatly tend to the absence of corruption in politics if the expenditures for nomination and election of all candidates, and all contributions received and expenditures made by political committees could be made public both in respect to State and National politics. For that reason, I am strongly in favor of the passage of the bill which is now pending in the Senate and House, bringing about this result so far as National politics are concerned. I mark this letter personal because I am anxious to avoid assuming an attitude in the campaign which it is quite possible I shall never have the right to assume, but so far as my personal influence is concerned I am anxious to give it for the passage of the bill."

Although the Republican Convention refused to adopt a resolution in accordance with that announcement, made public on the 26th of May, Mr. Taft nevertheless directed the publication under the New York statute of the receipts and expenditures of the treasurer of the Republican National Committee. All the Presidential candidates in the last election, the Republican and Democratic Governors recently elected, some of whom have belonged to the organization since its formation—Governor Hughes, of New York; Governor Johnson, of Minnesota; Governor-elect Harmon, of Ohio; and Governor-elect Marshall, of Indiana—have declared themselves in favor of National and State publicity laws. The organization has reason to believe that it will continue to have the active co-operation of such men, and will steadfastly promote, so far as it can, through its State branches, the enactment of publicity laws in States where they do not at present exist, and the amendment of existing laws, wherever necessary, in the belief that Federal and State publicity laws should supplement each other in order that campaign-fund publicity in National and State elections may be effectively and permanently established. It is the purpose of the National Publicity Law Organization, at the present session of Congress, to continue to urge the passage of the bill. The course of the campaign in respect to the publication of political contributions and

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expenditures by the National Committees of the two great parties has demonstrated that, if public opinion is adequately represented in the present Congress, the measure will be passed by both Houses before final adjournment on the 4th of March.

The bill having passed the House, the procedure would be for the Senate to pass it as it was originally reported by the House Committee, without the amendment referred to. The bill would then return to the House, go into conference and possess a privilege which would undoubtedly enable both Houses to act upon it at the present short session. The fate of the bill now rests with the Senate. If the bill should fail of passage at this Congress, the efforts of the organization will be renewed at the next.

PERRY BELMONT.

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IS OUR NAVAL ADMINISTRATION EFFICIENT?

BY REAR-ADMIRAL GEORGE W. MELVILLE, U.S.N. (RETIRED).

IT is now just twenty-five years since the beginning of our "New Navy." In that time the total expenditure for all naval purposes, including new construction, repairs, maintenance and operation, Navy-yards, and personnel, has been, in round numbers, $1,250,000,000, or an average of about $50,000,000 a year: at the present time we are spending about $100,000,000 a year. It is, therefore, a matter of vital interest to every good citizen to know whether our naval administration is efficient and economical.

With the steady increase in the number of fine armored vessels, and the widely advertised improvement in gunnery and fleet drill, it is probable that, until about a year ago, the average layman who reads about naval affairs believed quite thoroughly that we had a fine Navy and that its administration was efficient and praiseworthy. He was all the more justified in this because all the experts, at home and abroad, were united in assigning our fleet a rank second only to Great Britain's huge navy. About a year ago, there was a bitter attack upon the design and effectiveness of our ships and also upon our naval administration, and this has been followed by articles of a similar tenor in the daily press, and finally by a discussion in this REVIEW of naval administration by a distinguished Admiral on the retired list, who takes the ground that the system followed since 1862 is wrong and must be changed to secure efficiency.

When so many writers, anonymous and open, are making such charges, it is possible that the owners of the Navy, our whole body of taxpayers, may begin to believe them unless the other side of the case is presented—and there is, most decidedly, an-

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other side. I have hesitated to take upon me the exposition of the facts, as I see them, because my active work in the Navy is over. On the other hand, I had such a long and intimate knowledge of the existing plan of naval administration through my service for sixteen years as Chief of the Bureau of Steam Engineering and, therefore, a part of the administration, that it seems very appropriate that I should discuss the question and reassure, if it is necessary, our taxpayers that the liberal sums they are spending on the Navy are being used wisely and efficiently. This service lasted from 1887 to 1903, under Presidents Cleveland, Harrison, McKinley and Roosevelt. Let me add, also, that I was responsible for the machinery of all the battleships of the Atlantic Fleet as it started out on its tour of the world, all having been designed during my incumbency.

I have designedly referred to the taxpayers of the country as the owners of the Navy, because I wish to call attention to a feature of naval administration which is, in my judgment, of vital importance but which is often forgotten—I mean the Naval Committees of the Senate and House. Congress is really the Board of Directors of the great corporation composed of the taxpayers, and the Committees correspond quite accurately to the Executive Committee of the Directors of a Company. They confer with the executives upon details, and, on their recommendation, Congress (as the whole Board) makes appropriations, changes organization, etc. Now, if the entire personnel of Congress were changed every two years, the members of the Committees would have to depend very largely upon the officials of the Navy Department for their knowledge of naval matters, although this would only mean that they would have to give much harder study to the problems presented than they now do. In fact, however, there is no such change, and some of the members were legislating for the Navy at a time when some of the loudest critics were still schoolboys. The country and the Navy are indeed fortunate in the present Chairmen of the two Committees, Senator Hale and Representative Foss. Not only have they spent years in this work, but they have made independent studies of naval affairs, so that it is safe to say that they are among the foremost experts in naval matters in the world. It is very important to have in mind the function of these Committees in their constant supervision of naval matters, and that so many of the

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members have exercised it continuously for years. They come to have a pride even greater than that of the average citizen in the Navy because they can really make or unmake it, and they can justly feel that to a great extent it is their creation. This means that important events in the Navy do not occur by chance, and, above all, that naval administration has not come to its present condition without the knowledge of Congress. Indeed, the exact nature of the system is brought prominently before the Committees at every session, when the Secretary, each Chief of Bureau and often other officers, are called to explain and discuss estimates for appropriations and other matters of importance.

It would seem that this is all so elementary as to be commonplace, but sometimes it is necessary to consider elementary things in order to put matters in a clear light. My object is to point out who are finally responsible for the system of naval administration, and particularly that they are thoroughly able, through long experience and familiarity, to judge of the merits and demerits of the existing system and of any other which may be suggested as a substitute.

I believe any man whose mental calibre is sufficient to make him a reader of this REVIEW, will be enough of an evolutionist to believe and to realize that so complicated a machine as a modern battleship is a development, and that no man, however able, could by any possibility design one which in every respect was so novel as to be unlike anything which preceded it. So true is this, indeed, that improvements are only made a step at a time, and one class passes gradually into the next. Even such a change as that to the "all big-gun, one-calibre" ship which seems so radical is, after all, as has been clearly pointed out by one of our young Constructors, only an enlargement of the double-turreted monitors, the new ships having ten big guns in five turrets against their four guns in two turrets.* The introduction and development of improvements of any kind are most carefully noted all over the world, and, on the essential points—such as position and thickness of belt armor, calibre and location of guns, type and size of machinery, speed, etc.—there is substantial agreement among the designers of all navies. This was shown very clearly by the

* One vessel, the wooden "razeed" frigate "Roanoke," was fitted with three turrets, each having two 15-inch guns. But the weight was too great for the old wooden hull, and she sagged so badly that she was used only as a harbor defence ship in Chesapeake Bay.

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Chief Constructor of the Navy, in the diagrams which he submitted to the Naval Committee of the Senate comparing the battleships of all the important navies class by class. This comparison showed that our ships were in no respect inferior, and in some respects they were superior, to those of other nations.*

In other words, the existing system of naval administration has, to speak only of the present, produced a fleet which is recognized by experts all over the world as ranking in the highest class as to quality of *materiel,* and we have the trip around the world to testify to the efficiency of the *personnel,* even if we had not also the enthusiastic statement of the Commander-in-Chief, on the arrival in San Francisco, that everything was in better shape than when the start was made from Hampton Roads, and that the fleet was in the finest condition to perform any duty that might occur, whether fighting or otherwise.

As further indicative of the efficiency of the existing system of naval administration, it is only necessary to call attention to the fact that this system prevailed during the Civil War and the war with Spain. Certainly, an inefficient system could never have led to the triumphant success which occurred in both those wars.

All this is not my opinion, but only a plain record of facts which are well known to all who keep in touch with naval affairs. If, then, the existing system of naval administration gives us a fleet, highly efficient both in *personnel* and *materiel,* what is wrong with it and why should it be changed? It seems to me that it is incumbent on those who desire a change to show real defects due to it—which they do not attempt. What they do is to set up a man of straw and then knock him over. The recent article in this REVIEW talked as if the policy of the Navy Department were settled by a majority vote of the eight Bureau Chiefs, and because, for a short period, three of them were line officers and five staff, that this caused questions of tactics, ordnance, etc., to be settled by men who knew little or nothing about them. Nothing could possibly be wider of the mark. I cannot remem-

* Since this was written, the results of the "Newport Conference" of last summer have been published so far as relates to criticisms of the designs of our "all big-gun, one-calibre" ships. This Conference was composed of over seventy-five per cent. line officers. By an overwhelming majority, they found all the criticisms without serious foundation and heartily endorsed the work of the Bureaus dealing with *materiel.*

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ber, in my sixteen years of service as Chief of a Bureau, that the eight Bureau Chiefs were ever called together as a body to discuss or settle anything. I can testify that my opinion was never asked on matters of navigation or strategy, and I certainly never offered any suggestions on such subjects to the Secretary or any other official. It was not my work. I attended to my own duties and, as a rule, every other Bureau Chief attended to his, each keeping clear of the other's work. Any exceptions that occurred were due not to the system but to individual ambition, and that restlessness which seems to drive some people into the affairs of others.*

The recent article in the REVIEW had this statement: "The five non-combatant Admirals naturally regard questions of naval efficiency from the non-military point of view; the Admirals of the combatant class from the military point of view." This presents the same curious attitude towards an important body of naval officers which has been characteristic of a certain class for many years. How any man who is on a ship in line of battle, taking his chances of being destroyed, can be a "non-combatant" is hard to see. The assumption, of course, is that a man who is not actually shooting a gun has no personal interest in the outcome of the fight. This, of course, is absurd and, as a matter of fact, the distinction which it is attempted to draw and the depreciation of brother officers is most unwarranted. The article also attributes to those so-called "non-combatant and non-military" Admirals a tremendous influence with Congress, so great, indeed, as to be able to override the wishes of the President and the Secretary of the Navy. To any one who has spent his life in the Navy, as I have, this is really little short of comical. A request which the staff officers, of whom these "non-combatant and non-military" Admirals are the head, have repeatedly made has been that they receive recognition of the fact that they are members of the military organization by having, in addition to their professional titles, titles indicating their grade in the organization. Notwithstanding their alleged enormous influence, which can over-

* This is with respect to matters of general naval policy. As far as general design of *materiel* is concerned, this is under the general supervision of the Board of Construction, which is composed of the chiefs or representatives of the Bureaus of Ordnance, Equipment, Navigation, Construction and Repair, and Steam Engineering. Up to 1899, this meant three line and two staff officers. When the engineers became line officers, it made the proportion four line to one staff.

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ride the wishes of the President, they have not been able to secure this relatively small right.

As an actual matter of fact, I feel quite confident that the staff officers of the Navy, if asked for their candid opinion, would say that the most influential naval officer by far is the Chief of the Bureau of Navigation. That official is charged with the general administration of affairs connected with the *personnel* and the movement of the fleet. All orders assigning officers to duty are made out in his Bureau and under his supervision; and, although the courtesy is paid the staff Bureaus of having their Chiefs nominate their officers for duty, the actual preparation of the orders is carried out by the Bureau of Navigation, and the Chief of that Bureau in this way does exercise a very real supervision over the entire *personnel* of the Navy. Further than this, from the very nature of his duties, he is brought into much closer touch with the Secretary than any other Bureau Chief, so that, assuming his natural ability to be anywhere near that of most of the incumbents of that office, it is inevitable that he will become the Secretary's closest adviser and the one on whom he relies more than any other. Chiefs of the other Bureaus are, as a rule, consulted only about their own specialties and come in touch with the Secretary with respect to them, while the Chief of Navigation has such an exceedingly broad scope of work that he not only is supreme in this work, but is extremely likely to be the trusted confidential adviser of the Secretary in all matters.

As showing the great power of the Chief of Navigation, those who are familiar with naval affairs will remember the controversy, somewhat over a year ago, about the command of a hospital ship. The Chief of Navigation at the time opposed the decision of the President to place a surgeon in command of this ship so strongly that he absolutely refused to issue the order, although he knew it was the President's desire, and finally resigned his office rather than issue the order when he received a positive order from the President to do so. It was a rather curious commentary on naval discipline that the officer who, under the Secretary, is specially charged with the maintenance of discipline, should himself refuse to obey an order of the Commander-in-Chief.

There is a further aspect to this matter of the influence exerted on the Secretary and on Congress by naval officers. From

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the very nature of things, the number of officers of high rank in the line of the Navy on the active list greatly exceeds that in the other branches of the service. In Washington at the present time there are, in addition, about thirty retired Rear-Admirals. Cultured and agreeable men of the world as they are, and holding a high social as well as official position, these men exert an enormous influence. To assume for a moment that the small contingent of so-called "non-combatant and non-military" Admirals could outweigh the influence of this large body of distinguished men, so as to persuade Congress to turn down a desirable proposition which had the recommendation of the President and the Secretary of the Navy, is to my mind the most absurd thing in the world.

The real reason for the failure of the effort to change the organization of the Navy Department is not the opposition of the "non-military" Bureau Chiefs. I am not in their counsels and do not know what they have done, although, knowing some of them intimately, I doubt very decidedly if they have ever made any effort against it. The movement for a change has failed, as it ought, because its authors have not been able to persuade the Naval Committees that the change is desirable. My long service brought me frequently before these Committees, and I always found them willing to give careful consideration to recommendations which were backed by sound reasons and would stand careful investigation. The habit of practically autocratic command doubtless develops some valuable traits of character, but conciliation and exposition are not among them. The man who always has his own way naturally loses the ability to convince those who are not his subordinates, and are not in awe of him, that his views are right. Indeed, there is danger that he may fall into the habit of thinking that a plan is meritorious just because he wants it. He loses the power of seeing that there are two sides to a case. It really seems as if something of this kind is true in the present instance. It is interesting as illustrating this well-recognized characteristic that, when the House Naval Committee asked Mr. Roosevelt to send some members of the Personnel Board to answer questions about its report, he did not select officers who had been in command for years but chose the two junior members. One of them was a young engineer, and it was repeatedly stated by different members of the Committee that he was the best wit-

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ness they had ever had before them, because he could give a convincing reason for every answer he made.

When the criticisms of the existing system of naval administration are analyzed to their absolutely essential features, it seems to me that they concentrate into one point—the demand of certain line officers that the line of the Navy shall be put into such a position as to absolutely dominate it in every particular by such an organization as will make it impossible for any Chief of a Staff Bureau to go directly to the Secretary. As I believe I have shown, there is absolutely nothing in the talk about a majority of the Bureau Chiefs being staff officers, so far as that fact affects general naval policy and the action of the Secretary; and the preponderating influence of the Chief of Navigation is so great that it is safe to say that no reasonable proposition which he submits to the Secretary will ever be rejected. It would appear, therefore, that the essential purpose of the demand for a change is simply to confer absolute and complete control of every detail of naval administration upon line officers.

In the article in the REVIEW to which I have referred, much emphasis is naturally laid upon the point of preparation of plans of campaign, etc., as it is ostensibly to provide for this that the change in the system of naval administration is urged. It would seem that this is one of the functions of the Bureau of Navigation, which includes in its purview the movement of the fleet. There is no limit to the number of officers who may be ordered to duty under that Bureau, and its Chief is free to select the ablest officers of the entire service for this duty. He could, in fact, with the approval of the Secretary, exercise every function which a General Staff could fulfil, except one—control over the other Bureaus. To a certain extent his present authority does exercise a considerable control of this kind, for it is the Bureau of Navigation that decides which ships shall be sent on particular duty, and the Bureaus that deal with *materiel* have to conform to the programme of Navigation. I mention this only because the other article charged certain conditions which it considered defects to the Bureau System, while it seems to me the facts are that, if blame is chargeable to any one, it should be laid on Navigation, which has full authority, under law and regulation, to do these very things.

There is a great temptation to one who has spent over forty

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years on the active list of the Navy, during most of which there was anything but good feeling between the different branches of the service, to become specific and point out instances of injustice; but I have tried to make this article impersonal as far as possible and to make it a discussion of systems and not of individuals. I will say, however, that the desirability of harmony certainly appeals to me most strongly, and I can truly say, as a result of all my experience, that the staff officers, of whom I was one until a few years ago, were most sincerely desirous of harmony. Who is responsible for the lack of it? This very article, to which I have referred, with its strictures upon a large class of officers, calling men who are a vital element of the Navy "non-military and non-combatant" is an excellent illustration of a main cause of the lack of harmony and shows clearly who is responsible. Fortunately for the credit of the service, the general public has no idea of the indignities which have been inflicted, time and again, upon the staff officers of the Navy by some—I am glad, indeed, to say not all—of those who would restrict to themselves the term "military" officers. Retaliation is simply impossible; the only recourse is an appeal for redress to the common head, the Secretary. It is this constant spirit of arrogance and domination by a relatively few very aggressive men that causes the lack of harmony. In this connection it is very noteworthy indeed that the most important legislation for the Navy which has been enacted in many years—namely, the Personnel Law of 1899—was a marked example of how ready Congress is to do things for the Navy when the officers are agreed in their recommendations. The harmony which did undoubtedly exist at that time was largely due to the tact and patience of Mr. Roosevelt, when Assistant Secretary, who brought about the appointment of the Personnel Board and through its sessions and deliberations led to the formulation of the report which was substantially the law as it finally appeared.

Let me say in conclusion that the last thought in my mind, in the preparation of this article, has been opposition to any demand by the line officers of the Navy for any reasonable modification of existing methods which will render their part of the naval administration more efficient. I have always believed, and my sixteen years' experience in the Navy Department confirmed the view, that, so long as it did not mean interference with the

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legitimate work of others, it was a wise thing to grant the request of every zealous and progressive Bureau Chief for anything which would in his judgment increase the efficiency of his work. I feel very sure that the staff officers of the Navy do not dream for a moment of asking to be consulted about matters of strategy and tactics and similar things, which are not within their purview. They are willing that the line officers should have anything they want which will increase efficiency along these lines, provided that it does not relegate them to a distinctly inferior position and one where they would be prevented from having ready access to the Secretary.

Finally, I think there can be no doubt on the part of unprejudiced persons that the opinion generally prevailing throughout the country, that our naval administration is thoroughly efficient, is fully justified; and if there are any who have been disturbed in this view by the recent criticisms, I sincerely trust that the facts which I have presented will reassure them and that they will feel that the system of administration of naval affairs is entirely satisfactory and efficient and is being carried out by men of devoted patriotism.

GEORGE W. MELVILLE.

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THE ELIZABETHANS AND MR. SWINBURNE.

BY F. V. KEYS.

In spite of the formidable bulk of commentary that four centuries of uninterrupted human reflection have accumulated about the name of Shakespeare, there is no figure in the republic of poetry before whom we maintain so persistently the attitude of interested inquiry. Names memorable and majestic appear in the annals of Shakespearian criticism. Yet their contributions propose and answer questions which, though interesting and important to them, hardly touch upon the problems with which our individual temper and time are most pressingly concerned. In other words, Shakespeare, like every other significant human phenomenon, must be interpreted afresh for each successive epoch of students; and to-day, more than ever before, it is to the study, minute and inspired, of the poet's age, of its spiritual values, that we look to give us again, in terms we can understand, his criticism upon that world, as re-created in his work.

It is only the reader unacquainted with the genius of Mr. Swinburne that will look for such a critical contribution in "The Age of Shakespeare," the latest volume of his re-edited works. A vast amount of admirable material is compressed within the covers of the book. It is, indeed, just this richness in knowledge, intimate and extensive, in enthusiastic appreciation, in power of splendid, imaginative expression, that awakens in the reader the livelier regret for the absence of the power of lucid synthesis which should inform with order this world, of a profusion, as it now stands, almost chaotic.

"Honest I can promise to be, but not impartial."

What Goethe's eminently penetrative and critical genius suggested as a warning, Mr. Swinburne flings as a challenge to his readers. His partialities have been his pride, and no less so the

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unflinching directness of his honesty. With him, nothing in life or in art has ever been matter for suspension of judgment. He has had but a single verdict to give, the instantaneous one of the senses. Whether or no these are mediated by reason, is to him a matter of supreme insignificance. For any check on the rising tide of an emotional reaction he has only suspicion and contempt. To examine an emotion in the light of its causes and results, to discriminate in favor of this or that as furnishing finer and more enduring stuff for experience, would be for him a waste of time better employed in increasing the mass and variety of the weave. It is in the interest of an unimpeded manifold play of emotional reactions that he has discarded dogmas theological, political, social, and these he uses again as fuel to feed his fiery contempt, his resentful indignation. His generous temper, his robust humanity respond energetically to all the great emotional movements of his time, national and international, that make for freedom; for the sake of the variety and intensity he would prefer, one feels, a number of patriotic skirmishes before a single humanitarian march. To disease, when it comes his way, he reacts with an equal sympathy, provided always its manifestation is in the grand style. Mere intensity, mere energy is enough to extinguish for him the distinction between the normal and the pathological.

With so vast a temperament, so slight a perspective for values, Mr. Swinburne brings to the study of the Elizabethans both singular aptitudes and singular disabilities. He is akin to them by virtue of a deeper affinity than that of a poet for his fellow craftsmen, and his report of them is correspondingly enlightening and perplexing. It is, indeed, granted the change of phrase and emphasis inevitable after the lapse of three centuries, what might be, could they speak to us, their report of themselves. That it is couched in terms of "praise of dead men divine" is only another echo from the circle that never shunned hyperbole in its dedications.

That Mr. Swinburne approaches his subject in any but a "modern" spirit (either in the Elizabethan or Victorian sense of that word) is clear from the prefatory sonnet to the memory of Charles Lamb. Here once again the younger acknowledges his debt of gratitude to the elder critic by whose "grace" he himself first "communed with the gods" who trod the stage that

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trembled beneath the footfall of their master. Wherever Mr. Swinburne permits himself to dissent from an estimate formulated by Lamb, he approaches nearer than did Elia to taking the Elizabethans at their own rating. So far as the purpose is concerned of achieving a reasoned estimate of this body of our literature, either as art, or as a human document, for aught one finds to the contrary in this volume, no single advance in man's knowledge of himself or of the universe about him need have taken place between the year 1808, when Lamb published his "Specimens" and notes, and the issue of these essays, the majority of which have appeared at intervals during the last thirty years. For purposes of literary comparison, which is fully and often most happily employed, English literature might have ceased at the date 1850, while Russia, Germany and Scandinavia might never have existed on the map of Europe. Eloquence is not more significant than these silences.

As a record of personal tastes and sympathies, Mr. Swinburne's contributions are alone worthy to take rank with Lamb's in the same field: no living writer on these dramatists has an equal claim upon the generous acknowledgment of younger readers, in whom a reperusal of these studies revives memories of eager gratitude to their robust, impetuous, imperious guide through what he himself describes as "this wildest and most fruitful province in the poetic empire of England." His contempt for "sciolists," his scorn for those who "trim the level flower-plots or preserve the domestic game of enclosed and ordered lowlands"; his flouting of "German" and academic "sagacity"; his hoaxing of the unwary who "flounder in the boggy and barren province of conjectural hypotheses"; his swift impatient correction of a printer's blunder that had escaped the duller eye of plodding editors; his humility of deference to what he recognized as genuine scholarship and acumen; all these were so many covert challenges to follow him where "the weeds and briars of the underwood are but too likely to embarrass and offend the feet" of the timid sort of pedestrians. What matter that he dogmatized intolerably on that most debatable of all points, taste, bending to his own uses the vocabulary of criticism, to establish "irreversible" verdicts "for all time"? Against his temperament was pitted that of the reader, and if he dogmatized, it was because he knew and loved his subject, which gave him that note of au-

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thority, "the soul," says Milton, "of all teaching." His tolerance, or even occasional commendation, of the intolerable, had its uses when weighed against the ignorance of those censors who "would bring upon our minds a famine again, when we shall know nothing but what is measured to us by their bushel."

Mr. Swinburne's method of literary portraiture is to return again and again to the picture on his easel, revealing with swift light touches the inward expressiveness of the features, their latent affinities and distinctions over against others of their kin. Constant *rapprochements* of one figure with another scatter happy and striking definitions of any single poet throughout the whole tract of this volume, as they extend beyond it through the series of as yet uncollected studies. The exquisite portrait of the muse of Dekker is placed beside that of Marston's, who "has not the gypsy brightness and vagrant charm of Dekker's, her wild soft glances and flashing smiles and fading traces of tears"—a passage that contains more of inspired truth and poetry than any or all of the series of stiff "Sonnets on English Dramatic Poets." Put beside this the rendering of "the man Dekker, of gentle, modest, shiftless and careless nature, irritable and placable, eager and unsteady, full of excitable kindliness and deficient in strenuous principle; loving the art which he professionally followed, and enjoying the work which he occasionally neglected." The sympathetic unity of this double portrait of the poet and his art is no less than exquisite. Struck with fine firmness is the medal of Marston, "the friend and foe of Ben Jonson, the fierce and foul-mouthed satirist, the ambitious and overweening tragedian, the scornful and passionate humorist," and his muse, the "strong woman with fine irregular features, large and luminous eyes, broad intelligent forehead, eyebrows so thick and close together that detraction might call her beetle-browed, powerful mouth and chin, fine contralto voice (with an occasional stammer), expression alternately repellent and attractive, but always striking and sincere."

From the clash of extremes in judgments of detail there emerges a soundness of instinct that presides over the final ordering of these dramatists in their permanent ranks. It is this instinct that admits Dekker, with Shelley and Blake, into the choir where Shakespeare sings; that recognizes the affinity of Marston, in spite of his obvious propriety in "the regiment of which Jon-

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son is colonel" with "that brighter and more famous one which has Webster among its captains, Dekker among its lieutenants, Heywood among its privates, and Shakespeare at its head"; and that assigns to Webster within that regiment the place closest to its chief.

Less convincing are the judgments that recognize in Middleton "the graver, loftier genius of a man worthy to hold his own beside all but the greatest of his age"; of Tourneur, that "more splendid success in pure dramatic dialogue has not been achieved by Shakespeare or by Webster than by Cyril Tourneur in his moments of happiest invention or purest inspiration." It is around such judgments as these last two, based on the scenes Mr. Swinburne sees fit to bring forward as his witnesses, that there closes in the real interest, the real question, for modern criticism, of these plays.

For a "splendid success" in pure dramatic dialogue involves more than that of the lyric, which like a wandering air, seals its perfection when it consummates the mood it stirs in the listener. Supreme dramatic dialogue justifies itself by the fact that it is proper, or rather inevitable, to the persons who voice it, at the precise moment when they do: and this again must justify itself by everything concerning the speakers which the dramatist has previously revealed. Of all this, again, we judge by referring it to our experience, of ourselves and of our fellows. Remote as this experience may be from the situations and the sufferings on the stage before us, it is yet the sole touchstone, and the one we constantly employ, to distinguish whether the humanity in the play is genuine or counterfeit. Of course this, true of serious drama only, is pre-eminently true of tragedy, and that for reasons too plain to require to be enumerated. It thus becomes impossible to rule out human fitness as a requisite of all great dramatic dialogue. Drama derives its being, as it borrows its name, from those deeds of men through which personality, character, plunges beyond the limits of the individual into the unsounded sea of multitudinous social reactions. The instant an audience or a reader perceives that the dramatist has tampered—to any end whatsoever—with the universal law, mysteriously latent, that governs man's conduct as immutably as any law that chains in sequence of effect and cause the universe about him, the pity and terror which only humanity

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can evoke in humanity suffers a "chaotic extravagance of collapse."

The phrase is Mr. Swinburne's. It describes the catastrophe which "brings headlong to a close" a set of persons whom the dramatist could find no other means to dispose of. "Those," he says elsewhere, when deprecating the "promiscuous sweep of the drag-net of murder" at the close of another play, "those who object on principle to solution by massacre must object in consistency to the conclusions of *Hamlet* and *King Lear*." He seems to overlook the fact that in neither of these plays is murder offered as a solution: they confront us with death as the ultimate enigma of life. But it is not at the close, it is in the very opening and in the critical midst of a play that the impudent hand of the mere marionettist is seen obtruding with what to the eye familiar with its manœuvres is the all but avowed object of securing a meretricious intensity of response at the theatrical "moment." It is this crime against what Mr. Swinburne justly points out as the sole virtue society at large demands from the artist—his artistic self-respect—which forever loses him the ungrudging ear of posterity. As instances of Elizabethan guilt we remember the obliging conversion of Bellafront, and perversion of Hippolyto, in the two parts of *The Honest Whore;* the sudden active depravity of Bianca in *Women Beware Women,* as unmotived as the lie—monstrous in such a woman—of Lady Ager, upon which turn the "heroism" and "honor" of *A Fair Quarrel:* to Middleton also belongs the crime of subjecting to defilement a woman who is portrayed as driven to the extremity of murder no less by her abhorrence of an enforced marriage than by her passion for another lover. The atrocious ingenuity of cruelty that conceived and executed the main plot of *The Changeling* relegates it, notwithstanding Mr. Swinburne to the contrary, to the province of the student of human pathology.

How fatally this purely artistic defect in drama may play havoc with the purely human values (in drama they are indeed identical) is again strikingly shown when we turn to the "gentlemen" of Heywood's English tragedies. In *A Woman Killed with Kindness,* a no less impudent but more amusing device—that of suddenly vitalizing a waxen lay figure in order to have the pleasure of killing it—secures an affecting closing scene of domestic masculine magnanimity. For Mr.

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Swinburne the character of Frankford dignifies the play with "mere moral power and charm." What, we ask, becomes of the nobility of a husband who prefers to condemn to the lingering death of a mitigated sort of solitary confinement, rather than to kill outright, a wife whose virtue has been sacrificed by the dramatist, without the slightest connivance on her part (Mr. Swinburne admits that "she is never really alive till on her death-bed"), in order to furnish this "gentleman" with an occasion adequate to prove his "kindness"? After Mr. Swinburne's awkward admission, one is baffled to understand J. A. Symonds's elaboration of comment on this scene: "Each question asked by Frankford is such as a *wronged husband* has a right to ask." Apart from the fact that it is Heywood, not Anne, to whom questions should be put, we may note in this comment an unpardonable solecism, which Symonds repeated after Heywood. A suspicion of legal taint spoils, for some readers, any relish for this play; such may catch the laughter of a certain comic muse, who, afar off, takes notes on egoists.

After such tampering with the law that weds character to act, what becomes of the "supreme dramatic dialogue" of the Elizabethans? Their spendid outbursts of "poetry," which render a mood with matchless imaginative power, are, dramatically speaking, but "hollow graves" whose "walls yield no echo" in human character. Such outbursts as Mr. Swinburne quotes in this volume frequently proceed, as he admits, from the lips of ruffians incapable of conceiving the meaning of the "lines" a hopelessly "undramatic" (in Hebbel's sense) genius compels them to utter. The lines

> "O God! O God! that it were possible
> To undo things done; to call back yesterday!
> That Time could turn up his swift sandy glass
> To untell the days, and to redeem the hours!"

do not belong in Heywood's world of "gentlemen"; but rather to that tragedy, blindly enacted at Cyprus, of the human heart betrayed. It is in the light of this contention that Mr. Swinburne's proof of the dramatic power of Tourneur must be scrutinized, no less than the Shakespearean scenes with which he sees fit to suggest, by comparison, Tourneur's possible superiority.

The splendor and the infamy of the really living figures of the Elizabethan stage,—whose perfect representative is the White

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Devil herself,—lie in their mistaking for the human aim, the aim of blind Nature. "Nature's aim is functioning: man's is happiness." With one exception, their dramatists followed the lead of Marlowe, not perceiving that Shakespeare had turned aside. Most of them never knew their mistake. Marston had intellect to grasp it negatively and caught therefrom inspiration sufficient to redeem, for all intelligent readers, the coarseness of his expression. Webster was great enough to feel it, and caught thence his dark despair. Not twice only, but thrice, does he express his sense of the "mist" that hangs about his "wretched eminent things." With them he never tampered, leaving it to the blind forces he apprehended as at their work about them to destroy them by

> "Such a mistake as I have often seen
> In a play."

Surely this is Webster's comment on *Othello*. He, no more than Shakespeare, ever thought of insulting his audience by offering such destruction as a solution. Shakespeare alone, by dint of sheer intellect and vast patience, worked out from experience itself the basis of a law of conduct at once natural and human. In him, for a time, thought itself was the supreme passion, and the object of that passion was man's life. Sole of his age he saw himself, and his contemporaries, "not merely as they appeared to themselves, but as they appear to reason." He alone felt, in Protestantism, not its protest only, but the affirmation which, as a theological movement, it was blinded to. In this sense, as Hebbel, writing in 1844, so justly contends, his drama stands alone with that of Athens in achieving the function of the "summit of the arts": "to formulate for us the relation of man, and his social condition, to the Idea." Whether, in this connection, Euripides "corrupted art by his sophistry as Socrates corrupted youth by his" is an opinion of Mr. Swinburne's at least open to debate.

Among his Elizabethans, Mr. Swinburne stands like some Hebrew prophet of the Old Testament among his people, alternately tender and terrible, always in close touch with his race and age. Of the records of both peoples and epochs it may be remarked, for praise and dispraise, that they do not flatter mankind.

F. V. KEYS.

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THE OPIUM QUESTION.

BY BRITANNICUS.

THE most fascinating and portentous movement in the world of to-day is, surely, the renaissance of China. China is not only changing, but changing fast. We are witnessing the foretold and inevitable sequel to the Boxer rising of 1900. The West, in my judgment, has not yet taken the full measure of that event. It has still to acknowledge it as one of the decisive landmarks in human history. It has still to realize that from that memorable clash of Occident and Orient there emerged a spirit which is destined to transform the polity, the energies, the material power, the social consciousness and the economic ambitions of four hundred million people. China finally learned from the Boxer outbreak and its consequences that Western aggression could only be resisted by Western methods, and that Western methods could only be acquired by the adoption of Western learning. It had another and not less momentous effect. It did more even than the war of 1895 to cure the Chinese rulers of their contempt for Japan, to make them realize Japan's efficiency and the force of her example, and to lead them to an understanding of the many and essential bonds that link the two leading nations of the East. All the history of the past eight years has confirmed those results and intensified them. The issue of the Russo-Japanese war provided China with a further and conclusive object-lesson of what can be accomplished by a Power that masters the processes and applies the results of Western science; and it forced a fresh confession of Japanese prowess and prestige. Again, the Anglo-Japanese Alliance, by its guarantee of the *status quo* in China and throughout the Far East, has made it certain that the era of Kiao-chau stratagems is over, and that all schemes of dismemberment and partition may as well be thrown at once

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into the diplomatic waste-paper basket. For the first time in more than half a century China's international position is secure; and the period of her external security coincides with the resurrection of old ambitions and the stir of new internal forces.

We have had already some inkling of what such a conjunction may be expected to produce. However Pekin may regard Tokio, whatever differences may arise between the two Governments in the final settlement of the Manchurian question, it is plain that throughout the eighteen provinces Japanese influence within the past few years has made enormous strides. Japanese travellers, commercial agents, teachers and drill-sergeants are to be found in the remotest parts of the Empire. The sons of the Chinese nobility and ruling classes are being educated in Japan by thousands, and return home fired by her example and emulous to repeat it. The best of the native Chinese papers are in Japanese control, and the amazing growth of this native press is in itself one of the most significant of the phenomena of revolution. By means of it China is being intellectually irrigated, and a channel of communication is for the first time being opened between the Chinese masses and the modern world. And, in many other ways, it is clear that China is bent upon borrowing the accessories of the Occident for the preservation of the fundamentals of Oriental life and polity. We have seen the historic examination system thrown open to modern learning. We have seen the Provincial Viceroys founding schools and colleges with an almost American avidity. The missionary schools were never better patronized; the translations of Western literature never circulated so widely. Chinese students have been encouraged by Imperial edict to complete their education abroad. The last proclamation of the Dowager Empress emphasized anew the advantages and necessity of a Chinese Parliament. Provincial armies have been multiplied, and a more than promising beginning has been made with the creation of a wholly national force. In the to-morrow of the political calendar China will have at her disposal an army of half a million men. She is feeling her way, moreover, towards a handier and more efficient system of government and towards a greater unity and centralization in her administrative framework. There is arising, too, something that might almost be called a cult of Youth. With few exceptions the principal Viceroys are men in the prime of vigor, and nearly all the important Secretary-

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ships are in the hands of young Chinamen who have lived and studied abroad and who return home full of zeal, if not always of practicality, keenly alive not only to the defects of the Chinese State, but to the outrages that have been inflicted upon their country by the Occident, and clamorous for reforms that will enable China to meet and vanquish Western aggression with Western weapons.

There is, of course, another side to all this, and fulfilment at many points is far from following promise. The forces of reform are scattered; mountains of inertia, corruption and indifference obstruct their advance; and the fundamental need, if China is ever to stand alone, of a thoroughgoing administrative and financial reorganization does not as yet appear to be adequately appreciated. But no one can doubt that a new, national, self-assertive and independent spirit is at work in the Celestial Empire, and that it heralds in a *risorgimento* that will be mighty and protracted. "China for the Chinese" is at last coming to be something more than a cry *pour rire*. Proclaimed by an awakened Empire, and reinforced by the resources of Western learning and materialism, it is a policy with which the world will have to reckon. It may, and unless the West remodels its dealings with China on a basis of better manners and more justice, I fear it must precipitate another hideous conflict between Orient and Occident—a conflict which will find China infinitely better organized and prepared than ever before. But in any case we may expect to see the new spirit taking shape in many forms. Exclusive concessions to foreigners of mining rights and railroad franchises are likely to grow rarer. Having realized the advantages of rapid communications, the Chinese seem resolved to keep them as much as possible in their own hands. Missionaries henceforward may find it increasingly difficult to secure for their converts any special civil or legal privileges. The near future may see the extra-territorial grievances sharply raised and Chinese sovereignty asserted over ports and waterways and settlements now under foreign control; and whenever new ports are thrown open to the world's trade it is a moderately safe assumption that China will insist on policing them herself. The ultimate and conscious aim of the transformation that is in progress is, in short, to make China mistress in her own household, to recover those rights and privileges which her weakness alone has

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led her to forfeit, and to secure herself for the future against the insolence and rapacity of the Occident.

But, of all the tokens of change and regeneration that China presents, by far the most affecting and momentous is her declaration of war on opium. To weld that vast and disjointed Empire into a co-ordinated whole; to apply herself to the science of the Occident as the only effective cure for her age-long helplessness; to strengthen the growing instinct and capacity of self-preservation—that in itself is a programme of almost incredible magnitude. But, compared with the moral conquest that China has set herself, it is as nothing. In attempting to eradicate a national habit that can only be overcome by the simultaneous sacrifices and sufferings of millions of individuals, the Chinese Government is addressing itself to a task such as no other Government has yet ventured to essay. Neither in kind nor in degree is there any parallel for the undertaking on which she has embarked. It is as unique as it is inspiriting. With all its enlightenment and increasing sensitiveness to the paramount claims of national well-being over the privileges of vested interests, Western democracy has produced no spectacle so profoundly moving as the struggle in which China is now engaged to free herself from the toils of opium-smoking. It is a struggle which cannot be won, as Great Britain abolished slavery, by the simple expedient of voting millions. Still less can it be won by mere executive decree. If it is to be carried through to a happy issue it can only be by the force of an aroused public conscience fortifying the efforts of countless atoms of humanity to redeem themselves. Such an endeavor on such a scale is, as I have said, without precedent in history. Compared with it our little temperance movements are the puny wavelets of a summer sea. Four hundred millions of people are grappling with one of the most fatal and leechlike of vices in a resolute attempt to crush it under. In that fact alone there is an irresistible appeal to the compassion, sympathy, admiration and assistance of mankind.

It was in September, 1906, that a brief Imperial decree appeared in the "Pekin Gazette" commanding that within a period of ten years "the evils arising from foreign and native opium shall be equally and completely eradicated," and ordering the Government Council to frame such measures as would put an end to the consumption of the drug and the cultivation of the poppy.

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Two months later the regulations devised by the Council were approved and published. They were drawn up in eleven articles. The first deals with the restriction of the cultivation of the drug, enumerates the provinces in which it is chiefly grown, and enjoins on all Governors-General and Governors to have accurate returns made of the acreage under poppy cultivation, and compel the cultivators to diminish the area of cultivation by one-ninth each year until the production entirely ceases at the end of nine years. Infringements of the rule are to entail confiscation of the land, and rewards are offered to officials who succeed in putting an end to the cultivation of the poppy before the time specified. The second and third articles are concerned with measures for reducing the consumption of opium by issuing licenses to smokers, without which no one will be permitted to buy opium, and by instituting punishments for those who persist in smoking after a stated time. After estimating that between thirty and forty per cent. of the people—that is, about 100,000,000—are addicted to the opium habit, the Articles make a distinction between officials and persons of high rank, who will be dealt with very severely; the lower classes, whose treatment will be less strict; and persons of all classes over sixty, in whose case the question of giving up the habit is not to be pressed. The licenses issued to consumers will prescribe in each case a time limit within which the vice must be abandoned and will also fix the amount of consumption, which must be diminished by twenty or thirty per cent. annually. The registration and rigorous inspection of these licenses must be enforced, and no fresh licenses will be granted after the first registration. The names of smokers of the lower classes who are not cured of the habit at the end of the specified time will be posted in a public place, while official offenders will be deprived of their offices and graduates of their diplomas.

The fourth and fifth articles relate to opium shops, and a distinction is drawn between opium dens, which are to be compulsorily closed within six months, and ordinary shops, which are to be registered, kept under observation, and gradually done away with during the time fixed for the abolition of the drug. No shop will be permitted to sell opium to any person who does not produce his license; no restaurant or eating-house may provide opium for its guests or allow them to bring opium appli-

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ances with them. A return of annual sales is to be made, and any shop attempting to continue in the trade after the expiry of the time limit will have its goods confiscated and be liable to a fine of twice their value. The sixth and seventh articles discuss the preparation of remedies for the cure of the opium craving; their sale at a fixed price or free distribution; the establishment of anti-opium societies, and the formation of an enlightened public opinion on the subject. The eighth article charges the local authorities with the duty of leading the movement, giving effect to all provisions regarding reports, inspections and licenses; inculcates the necessity of personal attention to these matters; and severely forbids any exactions on the part of underlings. The ninth article prohibits the smoking of opium by officials of high rank. A number of such persons are enumerated who must solicit the permission of the Throne to be allowed to give up the habit within a fixed time or, in default, must lose their post, if an official, or have their rank pass on to the next in succession, if a hereditary noble. For all other officials the time limit is six months. Teachers, scholars, officers and men of the army and navy, if opium-smokers, are to be dismissed within three months. The tenth article deals with the negotiations which are to be entered into with Great Britain and the Governments of other opium-importing countries, for the purpose of insuring that the import of foreign opium shall decrease *pari passu* with the decrease of the native drug, and shall cease entirely at the end of ten years. It also forbids the importation of morphia, or instruments for its injection, except for medical use. The eleventh article provides for the issue of Proclamations promulgating the Regulations for general observance.

Thus the anti-opium campaign was launched. Several subsequent edicts have emphasized the determination of the Central Government to further its progress. Edicts, however, are not self-enforcing, and the Chinese, the most democratic of peoples, decide for themselves how far the example or wishes of Pekin are worth complying with. In no country are the provincial Governments so independent of the central organization or so apt to choose and keep to a line of their own. In no country is public opinion so emphatically the measure of the practicality of any and every Imperial decree. Less, perhaps, in China than in any other land is it possible for the Government to outrun the

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average sentiment of the masses. On the other hand, the Chinese are a leader-following people and the peasantry, especially, respond readily enough to the initiative of the local officials and gentry. The anti-opium movement, therefore, could only succeed if it were backed up by a strong and sustained popular approval and if the influence of the mandarins and the educated classes were steadily exerted on its behalf. But even with this support it was clear from the outset that the task of supervising and diminishing the cultivation of the poppy, of closing the opium dens, of registering the smokers, of preventing smuggling, of safeguarding against the danger of driving the vice underground without suppressing it, and of devising ways and means of compensation to the growers and traders, presented enormous difficulty. Another and not less serious obstacle in the path of reform was the obstacle of finance. An annual revenue of something like $32,500,000 is raised from the taxation of native opium. Of this sum only $8,750,000 reaches the Central Government, the remainder being retained by the provinces. It is altogether typical of China that no proposals have even yet been formulated for making good this loss of revenue. The Central Government has simply not troubled itself about the matter. The provincial authorities, on the other hand, have been obliged to take it into account, and much of the apathy they have shown in carrying out the edict of 1906 is due to the fact that energy is the equivalent of dislocated finances.

On the whole, however, more has been accomplished, though necessarily in a haphazard and desultory fashion, than might have been expected. There can be no doubt that the sentiment of the masses was overwhelmingly on the side of the reformers, nor does that sentiment appear to have appreciably weakened. The effect given to it has not, however, been equally uniform. The rules and regulations issued by the provincial Viceroys, though usually tending in the right direction, have displayed an endless variety, have been inadequate in some cases and either not enforced or disobeyed in others. In many towns there were scenes of great enthusiasm when the opium dens were closed and sealed and bonfires made of the pipes. Free dispensaries were opened for the cure of the opium habit, medicines were distributed gratis, vast meetings were held to strengthen the popular fervor, anti-opium leagues were founded, the Central Government dismissed two

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high officials for their failure to give up the vice, and in many provinces the area of cultivation was diminished. In other districts, on the other hand, little or nothing has been done; the registration of smokers has been lax; Viceroys have even urged their people to plant the poppy for the sake of revenue; the extra taxation of opium has driven the people to morphia or drink; the anti-opium pills, themselves containing the drug, have simply changed opium-smoking for opium-eating; and the indifference of the local authorities or their anxiety to preserve one of their main sources of revenue has made the Edict of 1906 almost a dead letter. Perhaps the most accurate review of what has been actually achieved is to be found in the report of Mr. Leech, the Councillor to the British Legation in Pekin, which was presented to Parliament a little over two months ago. Mr. Leech notes that the two most noticeable features of the campaign so far have been the continued interest and energy shown by the Central Government and the growing apathy of the provincial officials and their lack of sustained effort to eradicate the evil. "Generally speaking," he says, "smokers do not take out licenses. Dens, though officially closed, are in many cases surreptitiously reopened. Opium shops are only spasmodically inspected, while Anti-Opium Societies are gradually dying a natural death from lack of funds or interest or both." The chief reasons for this apathy are that so many public officials are still addicted to the drug, and that no solution of the revenue problem has yet been attempted. On the other hand, there are several Viceroys, in the coast provinces especially, with sufficient zeal and force of character to carry out the Imperial Decree, and where this is the case they are "almost sure of support from the people." The dread of increased taxation, fines and destruction of the crop and the exhortation of the officials have resulted in a reduction in the area of cultivation which, though slight in actual amount and highly variable, is fairly general throughout the Empire. Smoking in public has become "bad form," and should this sentiment gain in moral force there seems no reason why it should not develop into "losing face," the most powerful of all rules of conduct in China. Lord Morley, the British Secretary of State for India, declared two years ago that, if China wanted seriously and in good faith to restrict the consumption of opium, the British Government would not close the

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door. I think the evidence of the two years that have elapsed since the Decree of November, 1906, shows that the Chinese Government and the Chinese people are thoroughly in earnest in their crusade, that much has already been accomplished, that a fair title has been made out to the sympathy and co-operation of other Powers, and that where progress has seemed halting it has been due not to any general lack of the right spirit, but to the infinite perplexities of the task, complicated by the defects of the Chinese financial and administrative system.

But the opium question in China is an international as well as a domestic question. All through Asia the use of the drug is one of the pressing anxieties of statesmanship. Japan permits the cultivation of the poppy solely for medicinal and ornamental purposes and forbids opium-smoking under the most rigorous penalties. In Formosa the growth of the poppy is forbidden by law; opium is a Government monopoly, and only those Chinese are permitted to smoke who are provided with official licenses. In French Indo-China, in the Dutch possessions in the Pacific, in Hawaii and the Philippines, and in Australia either the cultivation of opium or its importation or both are absolutely prohibited. But the opium question as it affects China is international from two other points of view. First of all, it involves the foreign settlements and colonies in and around China, especially Hongkong; and, secondly, it involves India, the only country that grows the poppy and exports the drug on any scale worth mentioning. It is clear that China will reduce the cultivation of native opium to little purpose if it continues to be smuggled or imported from abroad. Without eradicating the vice, she would in that case be merely depriving herself of revenue and at the same time filling the pockets of foreigners. Her obvious course was, therefore, to aim at an arrangement with the Powers that would cut down the importation of the drug in proportion to its diminished cultivation in China. This she at once proceeded to do by opening negotiations with Great Britain, the chief and virtually the only Power under whose auspices the trade in opium is carried on. There are few pages in history more dishonoring than those which record the shameful tale of Great Britain's determination to force upon China a besotting drug in the interests of Indian revenues and against the impassioned protests of the Chinese Government and people. It is true that

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the British were not the first to introduce opium into China. But it is not less true that in the nineteenth century they twice went to war to coerce China to legalize a traffic she had declared to be contraband; that by smuggling and force they fastened the vice upon the millions of Chinamen who might and probably would have escaped it; that but for their actions China would never have relaxed the prohibition on the growth of native opium in the desperate hope that the Indian drug might be driven out and the Chinese Government left with a comparatively free hand for dealing with its own people; and that, having taken up a morally indefensible position and maintained it by the sheer brutality of superior and conscienceless force, the British cannot evade the responsibility for much of the appalling misery which opium-smoking has inflicted upon a country inhabited by one-fifth of the human race. Nothing has more prejudiced China against the policies, religion, civilization and ethics of the Occident than the methods employed by Great Britain to replenish the Indian treasury from the degradation of the Chinese masses. They have not been employed without protest from British statesmen and philanthropists, but until recently all such protests have been overridden by the necessity, pronounced supreme, of preserving every source of Indian revenue intact. The revenue in question is derived from a Government monopoly of the growth of opium in Bengal and its sale both for export and for home consumption; and in part by the levy of a heavy pass duty on all opium entering British territory from the Native States. In 1871-72 it yielded as much as $36,000,000; in 1897-98 it fell to little over $8,500,000; in 1904-05 the Indian Government derived from it about $20,000,000. Its productiveness is, therefore, a variable and declining quantity, subject to violent fluctuations and, though still important in the scheme of Indian finance, not so important as it was. These considerations have doubtless had their weight in inducing the Indian authorities to share, or at least to acquiesce, in the moral disgust with which the best minds in England have always regarded the opium traffic between the Indian Government and China.

In the British House of Commons the sentiment against the traffic has been steadily growing. In May, 1906, a resolution was unanimously adopted declaring the Indian opium trade to be morally indefensible and requesting the Government to take

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such steps as might be necessary to bring it to a speedy close. Two years later, another resolution welcomed the action of the Government in responding to the wishes of the Chinese Government by diminishing the export of Indian opium, and urged Ministers to put an end to the system of licensing opium dens in Hongkong, the Straits Settlements and Ceylon. Between the adoption of these two resolutions the Indian Government had agreed (1) to diminish the export of opium to China by one-tenth annually, *pari passu* with an equal decrease of the native drug, up to the year 1910, and to continue the arrangement in 1911 and subsequent years on proof that China had carried out her share of the bargain; (2) to allow a Chinese official to be stationed at Calcutta for the purpose of satisfying the Chinese Government that the undertaking was being observed; and (3) to assent to the *likin* duty on foreign opium being equalized with the taxation of the native drug. The only condition attached to these concessions was the reasonable one that China should prohibit the importation of opium from Turkey, Persia and other countries. The Indian Government, I should add, has been as good as its word; the export of opium from Calcutta has been diminished by one-tenth; and if China can show that the cultivation of the native poppy has been equally decreased, then the whole question will be settled in another decade.

It is, of course, easy enough for the British Parliament to indulge its own sense of morality at other people's expense. The Indian taxpayer has by no means relished the prospect of bearing the burden which will fall exclusively on his shoulders; and the question of how the cultivation of the poppy is to be suppressed in the Native States, which are practically autonomous, is one of no little delicacy. Yet it is certain that, but for the propulsion of the House of Commons, neither the authorities in India nor the Governors of Hongkong, Ceylon, the Straits Settlements or the Federal Malay States would have felt stirred to action by China's unsupported appeal. In the case of the Straits Settlements all but half the revenue is derived from opium and the people of Singapore are anything but disposed to surrender it at the mere bidding of Westminster. Hongkong, which likewise derives a considerable portion of its revenue from licensing opium dens, has been similarly convulsed by the order to close them. In both these cases and in Great Britain's other colonies and settle-

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ments in the Far East, very interesting questions arise as to the justice of the action of the British Colonial Office in cutting off a local source of revenue without compensation. Without entering into them, I think it may fairly be said that Great Britain has made in the past year such reparation as is in her power for her share in inflicting opium upon China. She has been greatly encouraged in doing so by the attitude and activities of the United States Government, which has summoned an International Commission to meet in Shanghai on January 1st, 1909, for the purpose of devising a uniform scheme for the suppression of the trade. No Government has held aloof from this benign project. All the Powers concerned have willingly joined in it, and three of them for the past few months have been conducting preliminary investigations that will unquestionably do much to insure the success of the Commission. The unanimity of the desire to second China's effort of self-reform was shown last September when Japan came into line with the other Treaty Powers and agreed to prohibit the importation into China of morphia, except for medicinal purposes. If opium by universal agreement were likewise to be placed on the forbidden list, a decisive step would be taken towards its extinction. But before recommending such a step the Commission will have to satisfy itself, first, that China is really reducing the area of poppy cultivation, and, secondly, that the withdrawal of foreign opium will not lead to the Chinese Government's forming a corner in the native article. Of all the opium smoked in China only about one-seventh is imported; but, being of superior quality, it is eagerly sought after. Whether its suppression will not result in the growth of a vast smuggling trade; how far the undoubted sincerity of the Chinese Government has been, or is likely to be, effective; and whether opium-smokers, when deprived of the drug, show a tendency to fall back on alcohol or cocaine—on all these points the evidence and findings of the Commission will, it is hoped, throw a decisive light. Nothing, however, can alter the most hopeful fact that China, to the best of her capacity, is grappling with a terrible and pervasive vice, and that other Powers, even to their own financial loss, are rendering her all the encouragement and assistance that her heroic effort deserves.

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CANADIAN MANUFACTURERS AND THE TARIFF REFORM MOVEMENT IN ENGLAND.

BY EDWARD PORRITT.

"It is bad business and bad politics," said Earl Milner in an address on "Tariff Reform, Preferential Trade and Imperial Unity," before the Board of Trade, at Montreal, on November 2nd, 1908, "that different communities within the Empire should deal with one another in any respect as if they were foreign countries." Yet this is exactly the spirit in which the Protectionists of the Dominion—Liberal and Conservative members of the House of Commons, at Ottawa, and members of the Canadian Manufacturers' Association—have continuously assailed the preference for Great Britain, since it was first embodied in the Canadian tariff in 1897. Evidences of this spirit can be found on almost innumerable pages of the Canadian "Hansard" for the Parliament of 1900-1904; also in the official organ and other literature for the same period of the Canadian Manufacturers' Association: and had Lord Milner gone over the transcript of the short-hand writers' notes of the Dominion Tariff Commission of 1905-6 he would have learned that British manufacturers and exporters were not infrequently described as "foreigners" by Canadian manufacturers who were then, with ultimate success, assailing the British preference.

The word "foreigner" was so used, for instance, at Three Rivers, Quebec, when the Tariff Commissioners were there on the 27th of December, 1905, by manufacturers of cast-iron pipe who were complaining of competition from Scotland. Its use on that occasion brought upon the manufacturers a sharp rebuke from Mr. Fielding, the Minister of Finance. But they could well afford to submit to this public rebuke; for in November, 1906, when the tariff was revised the duty on cast-iron pipe

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from Scotland and England was increased from $5.33 a ton to $6 a ton. It is the contention of the assailants of the preferenece that in tariff legislation British manufacturers should be so regarded; and as recently as the last convention of the Canadian Manufacturers' Associations, held in Montreal, in September, 1908, British woollen manufacturers were described as "outsiders"; and a memorial was sent to Ottawa protesting against "the Government's discriminating in favor of the outside manufacturer as against the Canadian."

This protest was the latest move of the Manufacturers' Association against the preferential duties on British woollens. It is this long contest against the preference on woollens with which I am here concerned; for the struggle is pregnant with significance, in view of the proposed radical change in the fiscal and economic relations that have existed between England and Canada since Canada in 1858 became free to enact her tariffs without let or hindrance from the Colonial Office in London.

Mr. Chamberlain's full scheme of tariff reform, it will be recalled, involves a protective tariff for Great Britain with a preference for colonial imports in return for a preference in colonial tariffs for British manufactures. This is the scheme which has been before the British electorate since May, 1903. It is the scheme which is to-day advocated by Mr. Chamberlain's adherents, in Parliament, at the by-elections, in the press and on the platform; and Mr. Chamberlain's followers are never tired of declaring that, with a Protectionist Government in power at Westminster, tariff reform on this basis will immediately be realized. These followers of Mr. Chamberlain completely ignore the attitude of manufacturers and bounty men in Canada and in others of the Protectionist colonies, and put out of sight the colonial obstacles in the way of such a scheme of tariff reform.

There are nearly a score of items in the Canadian tariff of 1906 which afford proof that a thoroughgoing Protectionist Administration like the Laurier Government has found it politically impracticable to maintain the full preference of 1900-4 intact against the continued assaults of Canadian manufacturers, quite as eager for what they regard as adequate protection against imports from Great Britain as for tariffs of Haman's Gallows' altitude against the United States. The increased duties in the preferential tariff of 1906 on cottons and woollens, on cast-iron

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piping, granite tombstones, and jewelry and plated ware, are all so many monuments to the failure of the Laurier Government to stand by the principle that it embodied in the tariffs of 1897 and 1900. But the history of the woollen schedules from 1901 to 1908—the increases in the duties, and the three distinct movements against any preference whatever for British woollens—must convince even the most ardent of Mr. Chamberlain's followers that there is little hope for any scheme of tariff reform involving concessions in the protective tariffs of the larger self-governing colonies which shall be of real and permanent value to British manufacturers.

The history of the woollen schedules, from the last revision of the Dominion tariff in November, 1906, to the general election in October, 1908, with the libellous onslaught on some grades of Yorkshire woollens that was made in August, 1908, by the official journal of the Canadian Manufacturers' Association, is almost sufficient in itself to prove the futility of the plea for colonial preferences in a British protective tariff in return for colonial preferences for British manufactures. But while the most recent attack on the woollen schedules became generally known in England because the attention of the President of the Board of Trade was called to it in the House of Commons in October last, it is only one of a series of persistent attacks made on these schedules since 1901. Two of the earlier attacks were successful. They frightened the Laurier Government into curtailing the preference in 1904 and again in 1906. It is, however, only when the complete history of all these onslaughts from 1901 to 1908 is reviewed, that the impossibility of a British protective tariff with colonial preferences in return for preferences for British manufactures in colonial tariffs becomes fully obvious.

The general history of the preference is well known. It was enacted by the Laurier Government within a year after it had come into power at Ottawa at the general election of 1896. The Liberals had been in Opposition from 1878; and while in Opposition their leaders—Sir Wilfrid Laurier and Sir Richard Cartwright—had continuously condemned the protective tariff and the bounty system which constituted the National Policy, as it had been developed by Conservative Governments between 1879 and 1896. "I ask you once more," said Sir Wilfrid Laurier, at the National Convention of the Liberal party in 1893, "never to

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desist until we have achieved victory, until we have freed this country from the incubus which has been weighing it down for fifteen long years." By such utterances as this in and out of Parliament, and also by the platform adopted at the National Convention of 1893, Sir Wilfrid Laurier and his party were fully committed to a tariff for revenue only and to making an end to the protective tariff and the bounty system. But when they came into power in 1896, they found it to their political ease and advantage to ignore all that they had said and promised; and the British preference was the only inroad that was made on the protective system that Sir John Macdonald and the Conservatives had built up between 1878 and 1894.

In Opposition, the Liberals had condemned a proposed British preference on the ground that it would prove unworkable, and would be antagonistic to the United States. In 1897 they adopted a scheme which they had condemned in Opposition, partly as a measure of relief in some of the protective duties, and partly to distract popular attention in Canada from the fact that except for the preference they had appropriated in its entirety the fiscal policy of the Conservatives—protection and bounties—which for seventeen years they had so vigorously condemned.

The full preference—one-third off the tariff duties—did not come into force until July, 1900; and it was in operation only until June, 1904. It was then that the first curtailment was made; and it was made exclusively in the interest of the Canadian woollen manufacturers, who objected to the increased competition from British mills. The Canadian Manufacturers' Association—the Home Market Club of the Dominion—complained of the preference on British woollens as early as September, 1901. It was affirmed at the Montreal Convention of the Association in 1901 that nearly one-third of the business of the Canadian woollen-mills had been sacrificed under the preference; and it was then insisted that Canadian mills must have a protection against Great Britain of not less than thirty per cent. Under the preference of 1900, duties against British woollens ranged from twenty to twenty-three and a third per cent. The agitation against the preference was continued with much persistence until April, 1904. At the Halifax Convention of the Canadian Manufacturers' Association in 1902 the late Mr. J. I.

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Tarte, who was then Minister of Public Works in the Laurier Government, associated himself with the attack on the woollen schedules. "I want to know," he said, "why the American manufacturer of woollen goods, or the German manufacturer, or even the British manufacturer of woollen goods, should be permitted to slaughter the Canadian manufacturer of woollen goods. This country must be united in respect to a strong Canadian tariff; and as long as I am in the House of Commons, either as a Minister of the Crown or as a private member, you may rely upon me." Mr. Tarte's openly expressed sympathy with the movement increased the confidence of the Manufacturers' Association in pressing their claims on the Laurier Government. As a general election was due in the early winter of 1904 the Government was susceptible to this pressure; and in April, 1904, it capitulated in regard to the preference.

From the point of view of the Canadian consumer, and also of British trade with the Dominion, the woollen schedules were the schedules of greatest value in the preferential tariff. But the exigencies of Canadian politics demanded their sacrifice; and in 1904 they were revised on the lines demanded by the Canadian Manufacturers' Association. Duties on wearing apparel and ready-made clothing, made of wool or worsted, and cloths, doeskins, cassimeres, tweeds, coatings, and overcoatings and felt cloths, coming from Great Britain, were increased to thirty per cent. This was the duty demanded by the Canadian Manufacturers' Association at the outset of the agitation against the preference; and blankets and knit goods were about the only articles in the schedule which were not in 1904 made liable to the higher duties.

There was some discussion of the new schedule in the House of Commons; and Mr. Hance Logan, a supporter of the Laurier Government, who in 1908 was promoted to the Senate, made an outspoken speech against the preference, which in the session of 1908 was quoted in the House of Lords by Earl Cromer in support of his contention that Mr. Chamberlain's scheme of tariff reform was impracticable:

"What we want in this country," said Mr. Logan, who is a woollen manufacturer of Amherst, Nova Scotia, "is to impress upon the people that our true policy is 'Canada for the Canadians'; and to carry out this policy we must endeavor to use goods made in Canada. I have

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not the slightest doubt that nine-tenths of the members who have spoken here to-day are wearing English or Scotch tweeds on their backs, while crying out 'Canada for Canadians.' 'Made in Canada' should be the watchword of the people of Canada. If the competition from Great Britain is at present too keen—and I fear it is—I am willing to leave the woollen industry of Canada and its future welfare in the hands of the present Government. But I desire to call your attention to one fact that seems to me very strange. Honorable gentlemen on the other side of the House—members of the Conservative party—are great Chamberlainites. They are always shouting in favor of Mr. Chamberlain. Yet the very first principle enunciated by Mr. Chamberlain is that this country should lower its tariff on goods which are peculiarly British. They know that if to-morrow Mr. Chamberlain were returned to power, and he should ask the people of Canada to lower the duty on woollens which are manufactured in England, they would cry their hearts out before they would allow such a lowering to take place. If Mr. Chamberlain's policy means the destruction of Canadian industries for the benefit of British industries, I am opposed to that policy."

The agitation of the Canadian Manufacturers' Association against the preferential duties on woollens was pushed side by side with a general movement for higher duties. During the three years from 1901 to 1904 Canadian manufacturers were demanding a tariff against the United States on the Dingley model; and this movement so unnerved the Laurier Government that in June, 1904, it was announced that in 1905 there would be a revision of the tariff. The announcement was so worded by the Minister of Finance that, until the Tariff Commission began its work in the autumn of 1905, manufacturers had understood it to mean that there was to be a Dingley tariff against the United States. Many of them prepared their memorials for tariff increases with this expectation. But these memorials alarmed the farmers' associations of Ontario; and to quiet these alarms the Tariff Commission in the second week of its work in Ontario announced that a Dingley tariff for Canada was impracticable. The farmers' organizations in Ontario, as well as those in the prairie provinces, also complained of the inroad that had been made in the woollen schedules of the preferential tariff in April, 1904; and presented memorials to the Commission in which it was urged that duties in the woollen schedules should be put back to the level at which they stood between 1900 and 1904. Heedless of this organized opposition of the farmers, the woollen manufacturers, both individually and as a section of the Canadian Manufacturers' As-

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sociation, renewed the attack on the woollen schedules. In the first attack they had asked for a duty of thirty per cent. against British competition, and their demand was conceded by the Government when it amended the preferential tariff in 1904. At the final public session of the Tariff Commission at Ottawa in February, 1906, the Commission was assured by the woollen section of the Canadian Manufacturers' Association that "now that British firms are exerting enterprise and effort to secure the trade in Canada, a duty of thirty-five per cent. will do no more than give the Canadians a fighting chance in their home market."

Wherever the Commission had gone in rural Canada it had been bluntly told by the representatives of the farmers' organizations that there must be no more curtailments of the preference; and while there were curtailments at the revision of November, 1906, on such imports as cast-iron piping, tombstones and silver plate, the only change in the woollen schedules adverse to Canadian consumers and to British woollen-mills was an increase to thirty per cent. on the cheaper grades of blankets. Canadian blanket manufacturers were not prominent in the agitation against the preference from 1901 to 1904. Hence in 1904 the duty on blankets was left untouched. At the revision in 1906, however, the blanket manufacturers of Ontario complained that they could not withstand the competition of Yorkshire and Lancashire in the cheaper grades; and to put them on an equality with other Canadian woollen manufacturers the duty on blankets not wholly of wool was increased from 23 1/3 to 30 per cent. The net result of the two attacks of 1901-4 and 1905-6 is that, on most lines of woollen goods, the British preference which in 1900 was one-third off the general list does not now exceed five per cent.

The Canadian manufacturers were dissatisfied but not discouraged by the fewness of the concessions in the woollen schedules made to them in 1906. The Manufacturers' Association again came to the aid of the woollen men; and between the revision of 1906 and the general election of 1908 there was a third well-concerted attack on what is left of the British preference. It is this last attack that has attracted the most wide-spread attention in England; that has been the subject of questions in the House of Commons; and that has caused even the ardent followers of Mr. Chamberlain to question whether their full scheme of tariff reform is practicable. The method of this third attack has as-

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tonished England; for it was as unexpected as it was disturbing to the good relations which exist between Great Britain and her self-governing colonies.

This new and unscrupulous method of attacking the preference was adopted after several deputations had waited on the Premier and the Minister of Finance at Ottawa to ask for higher duties on British woollens, and after Sir Wilfrid Laurier had replied to a peremptory telegram from the executive council of the Canadian Manufacturers' Association that in the session of 1908 there was to be no legislation increasing the duties in the woollen schedules. The interchange of telegrams between the Canadian Manufacturers' Association and the Premier took place on July 16th. Three weeks later there was published in "Industrial Canada," the official organ of the Canadian Manufacturers' Association, for the editorial supervision of which a permanent committee of the Association is responsible, an article on the editorial page in which it was demanded that certain lines of Yorkshire woollens should be excluded from Canada on the ground that they were made of shoddy, and that this shoddy was positively dangerous to public health.

The argument that there should be high duties on these particular imports was not new in 1908. It was advanced before the Tariff Commission at Windsor, Ontario, in November, 1905; and again at Ottawa, in February, 1906. "Importing under the present tariff," said Mr. John Dick, of Forfar Mills, Ontario, Chairman of the Woollen Section, before the Tariff Commission at Ottawa, "tends to encourage the use of shoddy goods, in the production of which English makers are very ingenious; and they produce fancy fashionable effects from shoddy but little better than dust. England imports about 35,000,000 pounds of rags from Europe annually, besides using up the rags from its own population. There is no certainty of these rags being disinfected; and these low shoddies may thus be not only wasteful, but the means of introducing disease." In the issue of "Industrial Canada" for August the case against shoddy was again advanced, this time in support of a plea for the total exclusion of these Yorkshire woollens on the ground that they were a sanitary danger to the people of the Dominion.

There was consternation in the heavy woollen districts of Yorkshire when this onslaught was republished in England. The

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Chambers of Commerce of Leeds, Bradford, Batley, Dewsbury and Birstall held a joint meeting, at which a retraction of the article was demanded from the Canadian Manufacturers' Association. A lame and halting apology was sent by cable from the headquarters of the Association in Toronto; but although two issues have now appeared since the bomb of August was thrown into the Yorkshire trade, there has been no apology nor any expression of regret in "Industrial Canada"; and at the Montreal Convention of the Canadian Manufacturers' Association in September, the grievance of the woollen manufacturers of Yorkshire was not even alluded to. On the other hand, there was then another assault on the preference; and much time was devoted to the best means of making still another appeal to the Government for the sweeping away of what remains of the preference in the woollen schedules since the amendments in the interest of Canadian mills in 1904 and 1906.

Thus for seven years—from September, 1901, to September, 1908—the Canadian Manufacturers' Association has continued its fight against the preference. The contest over the woollen schedules alone should convince Mr. Chamberlain's supporters that so far as concerns preferences for British manufactures in colonial tariffs in return for preferences for imports from the colonies their scheme is impracticable. But from the first Mr. Chamberlain's adherents in England have been misled by the waving of the Union Jack. Nowhere in the British Empire is there more flag-waving than in Toronto, the headquarters of the Canadian Manufacturers' Association. It is claimed for Canadians that they can sing "God save the King" with more fervor and enthusiasm than any other of His Majesty's subjects; and the members of the Canadian Manufacturers' Association always sing "God save the King" with soul-stirring heartiness at their convention banquets. The history of the preference from 1901 to 1908 proves, however, that there is no connection between flag-waving and tariff concessions to British manufacturers; and until Mr. Chamberlain's followers in England can realize that oversea demonstrations of loyalty have no connection with British trade they will continue to work for a scheme which in its entirety is impracticable.

EDWARD PORRITT.

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THE FIFTEENTH AMENDMENT TO THE FEDERAL CONSTITUTION.

BY M. F. MORRIS, FORMERLY ASSOCIATE JUSTICE, COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

THE so-called Fifteenth Amendment to the Federal Constitution has been the source and cause of untold calamity to our country. It has not benefited the race for whose benefit it is presumed to have been enacted; and it has greatly injured our Aryan race and seriously threatened the stability of our Aryan institutions. The reason of this is that it is based upon radically erroneous principles. Conceived as it was in iniquity and begotten to subserve grossly partisan purposes, it has served as a boomerang to those who originated it. It has taxed the ingenuity of those most intimately affected by its operation to evade its provisions; and the other section of the country has looked with complacency upon the effort to nullify its efficiency. And yet there has been little or no movement for its formal repeal. The majority of our people are wisely averse to any tampering with the organic law of the Federal Union; and, deeming this Amendment to be part of that law, they prefer to see it evaded in its operation than to appeal again to the dangerous process of constitutional amendment.

We have said that this Fifteenth Amendment is based upon radically erroneous principles. Even assuming, what we know not to have been the fact, that the movement for its adoption was superinduced by a reverential regard for the beautiful theory of the brotherhood of man, we now know only too well that this theory must be limited in its practical application. That theory is the foundation of our republican institutions. We believe it to be the foundation of the Christian religion. But it does not imply the commingling of the races of men upon terms of equality.

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It is useless, it is supremely absurd in this connection, to ignore the fact that mankind is divided into five or more great races, fundamentally differing from each other in their manners and customs, in their laws and usages, in their physical and mental characteristics, in their intellectual and moral development; and that they have been accustomed for ages to regard the great problems of human existence from a different standpoint. These races have been developed in different parts of the globe; and it was evidently the intention of the Creator—we may call it a law of nature, if we choose—that, to a certain extent, they should remain separate and distinct, and not commingle with each other. No attempt to fuse them has ever been successful. Such attempts have invariably resulted in the degradation, if not in the actual extinction, of those who have been subjected to the process. They may perhaps be well developed apart; but experience has shown conclusively that, when commingled, the inferior race is not elevated, and the superior race is degraded. This is the law of nature. It is useless to inquire why it is so: and it is worse than useless, it is wicked, to seek to array ourselves against it.

It may be laid down as axiomatic that no two of the races can co-exist upon the same soil upon terms of equality with each other, either social or political. And yet, while we practically concede this doctrine in its application to the Aryan and Mongolian races, we have sought to combine the extremes, and to place the highest and the lowest of the races in the scale of development, the Aryan and the Negro, upon a level of political and social equality. That the attempt to establish social equality should have proved a failure was a foregone conclusion from the beginning. Supported by the bayonet, by fraud and force alike, the theory of political equality has had a short-lived existence. It is now apparent even to the most blind that this also is a total failure. But the formal assertion of the fanatical tenet remains upon the statute-book, and has been read into the organic law, as far as it was possible for the fanatics to read it; and it remains a stumbling-block and a perpetual source of irritation and annoyance to all true lovers of their country.

Now, if it can be shown that this so-called Fifteenth Amendment, by which it was sought to perpetrate this greatest possible outrage upon our Aryan civilization, was never legally adopted, and never became, as it purports to be, a part of our Federal

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organic law, and therefore is without any force or validity whatever, an almost equal boon will be conferred upon the white and the black races. The former will be relieved from a festering sore in the body politic: the latter will be released from a situation fraught with disaster to its best interests. We think the nullity of the so-called Fifteenth Amendment can be demonstrated.

1. We desire at once to remove any misapprehension which may arise here that we are basing our contention upon the grossly improper methods by which the supposed adoption of the Amendment was secured. These methods were disgraceful in the extreme. The history of the so-called "carpet-bag" Legislatures of the Southern States of our Union, by which the enactment of this Amendment was secured, is a history of infamy, and the most disgraceful page in our annals. And the States which were compelled to accept those Legislatures at the point of the bayonet may well be justified in repudiating their action at any time. But our objection to the Fifteenth Amendment is not based upon any such grounds as that. Perhaps, *judicially,* that ground might be regarded as properly within the cognizance of the political departments of Government. Perhaps, in any event, it would be too late at this day to raise the question, when proof of the facts would be something in the nature of ancient history. But we seek to raise no such question. The question which we would raise is of far graver import in its constitutional aspect. It is, that this so-called Fifteenth Amendment is not an *amendment,* but an *addition* to the Constitution; and that, while *amendments* to the Constitution may be enacted by a vote of three-fourths of the States, in accordance with the provisions for amendment in Article V of the Constitution itself, yet an *addition* to the Constitution cannot be made, except by unanimous consent of all the States, which this Fifteenth Amendment never received.

2. For the purposes of the present argument, we may concede that, by the unanimous action of all the States of the Union, they may add anything they please to the Federal Constitution. We will not even controvert the extreme position that they may commit State suicide, destroy their own anatomy, vest all power without restriction in the Federal Government, and even convert the Government into a monarchy. When they are depraved enough to take any such action as that, it will be useless to seek to controvert their authority so to do. But there is no question

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here of unanimous consent. Five of the States of the Union—Delaware, Maryland, Kentucky, Tennessee and Oregon—rejected the Fifteenth Amendment when it was proposed; and it was never accepted by them. We are restricted, therefore, to the inquiry whether, under Article V of the Constitution, this so-called Amendment was one which could properly and validly be made a part of the organic law by a vote of three-fourths or more of the States against the refusal of any one or more of the other States to receive it.

3. The determination of the inquiry depends upon the distinction between *addition* and *amendment*. *Addition* requires unanimous consent of the States: *Amendment* may be made and become effective by a vote of three-fourths of the States over the objection of the other fourth, or of any number of the States less than one-fourth. Now, *addition* is something entirely new, and not germane to the original instrument: *amendment* is alteration or improvement of that which in some form is already there. The distinction between *addition* and *amendment* is fundamental, and is very clear to every one. No one will claim that they mean the same thing; and it would, therefore, be unnecessary to expend effort to show the difference between them.

When the original Constitution prescribed, as it did in the Second Section of Article III, that the judicial power of the Federal Courts should extend to suits "between a State and citizens of another State," and the Supreme Court of the United States, in the case of Chisholm *vs.* Georgia (2 Doll., 419) construed that to include suits by a citizen of one State against another State, as well as suits by a State against citizens of another State, to which we may assume now the provision was originally intended to be restricted, the people promptly stepped in with the Eleventh Amendment and made the desired restriction. The Eleventh Amendment was an amendment in the proper sense of the term, and within the competency of three-fourths of the States to make, under Article V of the Constitution.

The Twelfth Amendment is another similar illustration. The original Constitution had provided fully for the mode of the election of a President. The contest between Jefferson and Aaron Burr in 1800-1 revealed a point of danger in it; and it was remedied by the Twelfth Amendment—most appropriately an Amendment, and wholly germane to the original Constitution.

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Let us turn to the original Ten Amendments so-called. Their history is well known. To all intents and purposes they are part of the original Constitution. They were developed in the discussion on the adoption of the Constitution in the years 1787 and 1788; and it was the unanimous sentiment of the country that, while it was rather too late to incorporate them into the original Constitution, they should be forthwith formulated by the First Congress and proposed for adoption by the States. They were formulated by the First Congress, in which body were several of the men who had formulated the original Constitution, and all of whose members were thoroughly acquainted with the views of the framers of that instrument; and by the Act of September 25th, 1789, they were proposed for adoption, under the title of "*Additions* and *Amendments*" to the Constitution. Evidently it was recognized that there was a sharp distinction between *addition* and *amendment,* and that one did not include the other, and that one was not the equivalent of the other. And these *additions* and *amendments* were unanimously adopted by all the States which then constituted the Union, so that no question could have arisen in any event, such as is now raised here, in reference to them.*

It is further to be noted that these Ten Amendments have been repeatedly construed by the Supreme Court of the United States to be, what they were most undoubtedly intended to be, limitations upon the powers of the Federal Government, not the addition of any new power to it or the deprivation of the States of any of their reserved powers. They stand very differently from attempts to increase by amendment the power of the Federal Union by conferring upon it some of the powers reserved to the States, or by limiting the power of the States in matters in which it was not limited by the original Constitution.†

It has also been repeatedly decided by the Supreme Court of the United States that the Constitution and its provisions and terms are to be interpreted in the sense in which they were understood by the framers of that instrument and by the people generally at the time at which it was promulgated and adopted.‡

* It does not appear from the records of the State Department in Washington that Massachusetts, Connecticut and Georgia ratified these Ten Amendments; but the records of the States in question show that the Ten Amendments had their assent.

† Barron *vs.* Baltimore, 7 Peters, 243; Twitchell *vs.* Pa., 7 Wall, 321.

‡ Martin *vs.* Hunter, 1 Wheaton, 304; Cohens *vs.* Va., 6 Wh., 264.

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In this connection, let us assume for a moment that the subject-matter of this Fifteenth Amendment had been broached at the time of the promulgation of the Constitution, and proposed to be adopted. Is there any student of history who would honestly maintain that it would have had the least chance of adoption?

4. The deductions to be legitimately drawn from a proposition are sometimes, perhaps generally, the best criterion whereby to judge of the soundness of the proposition itself. If, under the guise of amendment of the Constitution, any extraneous matter may be added to it which three-fourths of the States might think proper, then it would be in the power of these three-fourths at any time, not only to commit State suicide themselves and destroy their own independent existence, but likewise to destroy the existence of all the other States against their will. Let us suppose that to-day it is voted by constitutional amendment to take away the subject of marriage and divorce from the States and confer it upon the Federal Government. There are many inconsiderate persons who seek to have that done now for the sake of uniformity. To-morrow, perhaps, it will be proposed for the same reason to establish the jurisdiction over all crimes in the Government of the Union; and the proposition may find favor, and may become part of the organic law. Next, we shall have the subject of the domestic relations, and the creation, control and management of all corporations remitted to Federal control. There are also those who would do that now. After that, it would probably be easy, and there would no doubt be many to favor the proposition, to transfer all the jurisdiction over real and personal property, and all the probate law, to the Federal Government. No doubt, it would be a plan of simplicity, as the feudalist Blackstone said of the now infamous Feudal System; it would do away with the supposed confusion of fifty different petty sovereignties legislating upon subjects which could more uniformly, and more effectively, be legislated for by one Congress of the Federal Union. Thus the process could go on according to law; and thus our Federal system, with all its manifold blessings and all its many safeguards for the security of freedom, would gradually but surely give place to united nationality. It might be that, when our States become fifty-two and upwards in number, thirty-nine of them, comprising three-fourths of the whole, under influences hateful to the framers of the Federal Constitution, could over-

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whelm and destroy the original Thirteen States, to whom they were all indebted for that Constitution.

If, under the guise of amendment of the Constitution, all this can lawfully be done, what guarantee have the States for their integrity and continued existence? Absolutely none. It will be in the power of three-fourths of the States at any time to destroy the other fourth, to overthrow the whole Federal System, and to establish a centralized despotism in the place of our present excellent device of State and Federal Government and a dual sovereignty. If it be said that we should not assume that this will ever be done, my answer is that stranger things have been done. Where any result is possible according to existing law, we may properly assume that the result is likely at any time to happen. It is against the possibility of such happenings that the framers of our Constitution sought sedulously to guard.

The method provided in Article V of the Constitution for the amendment of that instrument as occasion might require, does not seem to have provoked much discussion before the people at the time when the adoption of the Constitution was under consideration by the States; and no great space was devoted to it either by the writers of "The Federalist" or by other publicists of that day. The propriety of the provision seems to have been received with quite general acquiescence. As a matter of fact, the Constitution has come to be regarded as practically unamendable. It was only under pressure of a desperate Civil War and of the excitement consequent thereon, that the three so-called War Amendments, the only amendments adopted since the year 1802, were sought to be incorporated into that charter of our national existence. And it is all the better that it should be so. Tampering with the organic law, either for real or supposed defects, is exceedingly dangerous. For 120 years the document has stood the test of experience. It might be rash to assert that it is good enough for all time. But, so far as we may judge from the lessons of experience, it is amply sufficient, unaltered and unamended in the slightest degree, to serve its purpose for ages to come. Amendment of it is regarded as undesirable by all right-minded and thinking men, for the very reason here indicated, that, under the guise of amendment, addition to the instrument or alteration of it might be covertly attempted; and addition to it, or alteration of it, was not contemplated by its framers, or by the States which

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adopted it. In fact, addition to the Constitution, whether in the guise of amendment or otherwise, is radically inconsistent with the reservation to the several States of all the rights not therein granted to the Federal Government. The reservation would be worthless if those rights could be taken away at any time by the co-operative action of the other States.

But suppose that, at the time of the discussion of the Constitution, before its adoption some one had asked Hamilton or Madison to explain in "The Federalist" the scope and meaning of Article V of the Constitution providing for amendment, and whether, under the guise of amendment, anything else whatever could be *added* to the Constitution, however foreign to its existing scope, which three-fourths of the States might at any time think proper to adopt; and suppose that either one of the two great statesmen, who in that publication so strenuously urged the acceptance and adoption of the Constitution by the States, should have candidly and unequivocally answered that inquiry in the affirmative, what chance would there have been for the adoption of the Constitution? With the knowledge which we all have of the history of that time, of the great difficulty which the Constitution encountered, and of the narrow margins by which it was accepted in several of the States, it may be asserted unhesitatingly and without the slightest fear of successful contradiction, that it would not have received the vote of a single State,—in other words, that, instead of its being accepted by all the States, it would have been unanimously rejected.

What more potent argument than this is there needed to show the conception which the States had at the time between *amendment* and *addition;* and what the scope and meaning are that are now to be attributed to the term "Amendment"?

Nor is the distinction a mere technicality. It is substantial and fundamental; and it is the dictate of common sense. In every legislative assembly, in every meeting which seeks to proceed in accordance with parliamentary law, which is no more than the law of common propriety, the radical difference between *amendment* and *addition* is recognized. *Amendment* is always understood to refer to something germane to the matter under consideration: *addition* is something foreign to it. *Amendment* is always in order: *addition* can only be brought up in a separate and distinct measure. This is so clear and so well understood that it is use-

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less to expend argument upon it. The distinction between *amendment* and *addition* is well established.

5. But it may be argued—and this seems to be the only plausible argument in opposition to our proposition—that an *article* in *addition* to the Constitution, even though it be not an *amendment* in the strict and proper sense of the word, may be regarded as such in the sense of Article V of the Constitution, because it tends to *amend* and improve the whole. But this is plainly no sufficient argument. *Addition* might be an improvement. Addition might be desirable. A new and different Constitution might be desirable. A new and different Constitution might be regarded as an improvement upon our existing Constitution, although we must be permitted the privilege of greatly doubting it. It has been charged that both Alexander Hamilton and John Adams preferred a limited monarchy for us to a Federal Republic. It may be that they would have preferred the so-called English Constitution to that which was actually adopted at Philadelphia in 1787. But the question is not of a better or worse Constitution; but as to what was meant by the term *amendment* used in the Constitution of 1787: and that plainly means only such alteration from time to time of the special provisions of that instrument as may be supposed to conduce to the fulfilment of their special purposes. The Eleventh and Twelfth Amendments are excellent illustrations of the meaning of the term.

We do not mean to say that radical and fundamental changes may not be effected in the way of amendment of the Constitution. For example, two Presidents, instead of one, might be provided for. There was some such proposition made in the Constitutional Convention. The Federal Judiciary might, in part or in whole, be abolished. One of the two Houses of Congress, the House of Representatives, might be abolished. Other similar changes might be effected which would radically change or modify the whole structure of our Government. But we would hesitate to say that such changes would not be within the purview of constitutional amendment, because such changes would be entirely germane to the provisions now contained in our Constitution. But it would be revolutionary to put into our Constitution what is not in it, and which has no relation to that which is in it.

6. Now, that the subject-matter of the so-called Fifteenth Amendment is entirely extraneous to the Constitution, not at all

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germane to it or to any provision in it, and is, in fact, wholly new matter, an *addition,* pure and simple, and not merely an *amendment,* is too plain for argument; and no words need be wasted upon the subject. It seeks to regulate and control the right of suffrage in the States; and that is a matter to which there is not the remotest reference in the Constitution. It is true that there is in the Second Section of Article I of the Constitution the provision that the electors for members of the House of Representatives in each State "shall have the qualifications requisite for electors of the most numerous branch of the State Legislature"; and this provision, of course, is subject to alteration and amendment. But this is no foundation for the Fifteenth Amendment, which seeks to regulate suffrage in the States.

7. Naturally, in discussing the validity of the Fifteenth Amendment from the standpoint here taken, we will turn to inquire whether the same objection will hold to the other two War Amendments, the Thirteenth and Fourteenth—not because these two have any necessary connection with the Fifteenth, but to ascertain how far the proposition here advanced may tend to contravene either established facts or judicial interpretations of these Amendments. With the Thirteenth Amendment we need not concern ourselves. It is undoubtedly amenable to the objection which we make to the Fifteenth Amendment. It is not germane to anything in the original Constitution; and as an Amendment to that instrument we believe it to be a nullity. But slavery stands abolished, let us hope forever, by something more powerful even than a Constitutional Amendment, the inexorable logic of accomplished facts. We need waste no time on the Thirteenth Amendment.

The Fourteenth Amendment stands upon quite a different basis from the other two. It is not like them a single provision relating merely to one specific subject. It is a congeries of propositions embraced in five separate sections, and in no way related even between themselves. Some of these are undoubtedly germane to the original Constitution; others of them are clearly not germane. How far these various provisions can be segregated from each other, and some sustained and some repudiated under the theory now advanced by us, it is unnecessary here to inquire. The Fourteenth Amendment is not now under consideration. As to it the question has never been raised which is here raised for

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the first time. It will be time enough to consider it when it is raised.

The Fifteenth Amendment has been incidentally before the Supreme Court of the United States in some few cases (United States *vs.* Reese, 92 U. S., 214; United States *vs.* Cruikshank, 92 U. S., 542; *ex parte* Yarborough, 110 U. S., 651): but in no one of these was the question raised as to the validity of the Amendment. It is not improper, and it is not too late, to raise that question now. For, although it is over thirty-seven years since it was proclaimed by the State Department to have been ratified by three-fourths of the States and to have therefore become a part of the organic law, it has never been unqualifiedly accepted by the States most affected by its provisions. We know that it has been openly evaded by those States; and their evasion of it has been practically sanctioned by the Supreme Court of the United States. To a great extent it is now a dead letter; and yet it remains as a possible, and even probable cause for annoyance and irritation for coming generations. It is time that it should be wholly expunged from the statute-book by proper judicial construction which would save our organic law from future experimental tamperings of a similar character. The Federal Constitution and our Federal Union under it will be saved from many a strain in the future, if it is once judicially established that this Constitution is subject to *amendment* only in matters germane to its original provisions, but not to addition of extraneous and foreign provisions, except by unanimous consent of all the States. It is confidently submitted that a careful consideration of the subject will necessarily lead the calm and impartial mind to the soundness of such a judicial construction. The result will be that the so-called Fifteenth Amendment should be regarded as a nullity.

It ought not to be difficult to frame legal proceedings, preferably, although not necessarily, in one of the five States which refused to accept this so-called Amendment, which would serve to bring the question here raised, apart from all extraneous considerations, to the ultimate arbitrament of the Supreme Court of the United States.

M. F. Morris.

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THE SMITHSONIAN INSTITUTION.

BY CHARLES MINOR BLACKFORD, JR., M.D.

SITUATED in the City of Washington is an organization which is unique among learned establishments in aims, objects, methods and origin. It is at once a private corporation and a bureau of the Government; controlled by Congress, but governed by rules of its own making. It is a society with no members and but a few associates; a university without a faculty, that has no matriculates and grants no degrees; a great publishing-house that pays nothing for manuscripts, holds no copyrights and gives away the greater part of its output. This is the Smithsonian Institution, an establishment little understood by the people, although to it is due, in large measure, the high rank held by American scientific workers throughout the world.

The origin of this remarkable organization is not its least peculiar feature, for it was established in accordance with the will of James Smithson, a noted English chemist, who left a legacy to the United States for the purpose. Legacies to Governments are rare, and legacies by a subject of one country to the Government of another are so uncommon as to arouse interest in the personality of the donor and the motives that prompted such an act.

James Smithson was a natural son of Sir Hugh Smithson, who was created Duke of Northumberland in 1766 and assumed the name of Percy. The son, who was to make the former name illustrious, was born in France in 1765, and bore his maternal name of Macie throughout his early years, probably assuming that of his father on coming of age. He was one of the memorable group of investigators who freed chemistry and physics from the superstitions and follies of alchemy and magic that hung about them for so long. Cavendish was one of his intimate

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friends, as was Arago at a later period; but his correspondence embraced almost every man of scientific eminence in Europe. His work in chemistry and mineralogy attracted attention, and he became a Fellow of the Royal Society, to whose "Philosophical Transactions" he contributed several papers. He was a voluminous writer, and many of his unpublished papers came into the possession of the Smithsonian Institution with his other personal belongings, but, unfortunately, were burned in a disastrous fire in 1865.

Burdened by ill-health, he was forced to seek a more genial clime than that of England, and his latter years were passed on the Riviera. In 1826 he made his will, by which his entire estate, with the exception of a few private legacies, was bequeathed to the United States "to found, in the City of Washington, an establishment under the name of The Smithsonian Institution for the increase and diffusion of knowledge among mankind." His reason for selecting the United States for this purpose is not known. The Federal Republic was still an experiment, and few European statesmen believed it to be permanent. By his gift, Smithson showed his faith in its stability; but it is none the less strange that his bounty should have been so bestowed, as he had no ties in America and had never even paid it a visit. It is said that the advice in Washington's farewell address that the United States should "promote, as an object of primary importance, institutions for the general diffusion of knowledge," accorded with his own opinion of the duty of a Government, although it was at variance with the teachings and practice of every European Government of his day, and that on this account he wished to aid the young Republic to follow a new principle in statecraft. Though probable, this is merely a guess, and the real motive will never be known.

The will became operative at the death of its maker, which occurred at Genoa in 1829. The slow processes of the law delayed its execution, and the President was not notified officially of the bequest until July 28th, 1835. On the 17th of December of that year, President Jackson informed Congress of the legacy, and on July 1st, 1836, the gift was accepted, and the President empowered to appoint an agent to collect the money. Richard Rush, of Pennsylvania, was entrusted with this duty, and in November he brought suit in the English Court of Chan-

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cery, where the claim remained for two years. The cause was won at last, and Rush returned triumphantly, bringing the fund with him. In his report, he states that he brought it in 105 bags, each containing 1,000 sovereigns, except one that held 960 sovereigns; and, with laughable accuracy, he adds, "eight shillings and sevenpence wrapped in paper," all of which was deposited in the mint in Philadelphia on September 1st, 1838.

The sum so deposited was equivalent to $508,318.46, and at once suggestions were offered for its expenditure in accordance with the terms of the will. As these were somewhat indefinite, it is not surprising that the proposals were varied in character. A National Library, a National University, a National Gallery of Art, and an Astronomical Observatory were among the suggestions, but all these were rejected; and the present establishment, fulfilling in a measure the functions of all, was brought into being by an act of Congress that turned the Smithson fund over to its trustees. The first meeting of the trustees was held on September 7th, 1846, when Professor Joseph Henry was elected the first Secretary.

As stated in his will, the founder wished his bequest to be used to increase and diffuse knowledge among mankind. It therefore follows that the Institution is international, and that its benefits are not to be restricted to the United States, our Government being merely a trustee for the human race. As the Government cannot administer this trust directly, a corporation was created by Congress to which the control of the fund was entrusted and from which an annual report is required. This corporation consists of a number of Directors, known as "The Board of Regents," who virtually have full powers, subject to the general laws of the land. As now constituted, the Board consists of "the Vice-President, the Chief Justice of the United States, three members of the Senate and three members of the House of Representatives, together with six other persons other than Members of Congress, two of whom shall be resident in the City of Washington, and the other four shall be inhabitants of some State, but no two from the same State." This Board of Regents elects the Secretary, to whom is given full administrative power to carry out the aims of the Institution.

As said above, these aims are to increase and diffuse knowledge; and, as a private corporation with means of its own, the

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Institution is admirably fitted for carrying them out. The relation of Governments to abstract research is a question on which political economists are not agreed. The safest rule is to extend public aid after some definite result has been accomplished, as is done through patents and copyrights, for discretionary power in such a matter would open the way to gross abuses. On the other hand, a private body, like the Smithsonian Institution, can discriminate, and is not so liable, therefore, to be despoiled, while genuine students are sure of a sympathetic hearing and of assistance of the sort they most need.

Professor Henry did much to advance the great invention of the middle of last century, the electric telegraph. As far back as 1827 he had discovered that, if a weak electrical current were passed through a silk-covered wire wrapped repeatedly about an iron core, a far greater lifting power would be given the resulting magnet than was possessed by any electro-magnet previously known. In 1828 he exhibited before the Albany Institute a small magnet similar to those in use at the present day, and in 1831 he explained the difference between a "quantity" magnet, excited by a "quantity" battery of a single pair of elements, and a "quality" magnet, excited by a number of cells, pointing out at the same time that the latter was the form to be used for telegraphy. Peter Barlow had claimed that a galvanic current became so weakened after traversing two hundred feet of wire that it would not produce magnetism, and that, therefore, an electric telegraph could not be operated over a single mile of wire. Henry claimed that Barlow's magnet was improperly arranged, and to demonstrate this he suspended 1,060 feet of common bell-wire about the walls of the academy at Albany, with a battery at one end and one of his magnetic coils at the other. The armature was arranged to strike a bell and make a signal. The demonstration was complete, and to him is due the first electro-magnetic telegraph ever constructed.

Such was the man who for more than thirty years directed the course of the Institution. In that time he fixed the lines on which it should move, and defined its part in the scientific development of the world. His successors have pursued the policy he laid down, and it is due to him that the Institution has won and holds the friendship of all other learned bodies, with which it is ever an earnest co-operator, without jealousy or

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rivalry. Every branch of human thought has felt the influence of the workers connected with it, and many of those who have made and are making America stand abreast of the world in science have been spurred to activity by the genial enthusiasm and kindly sympathy of those within its walls.

The Louisiana Purchase gave to the United States a vast tract of unknown territory, to which the results of the Mexican War made large additions. In 1846, the greater part of the region west of the one-hundredth meridian was unexplored, but the discovery of gold caused such a rush of settlers across the continent that its survey became a necessity. Between 1849 and 1854, the War Department sent several parties through these unknown regions to find practicable routes for railways. The opportunity so presented was grasped by the Smithsonian Institution, and botanists, geologists, zoologists and ethnologists accompanied the expeditions. The results of these explorations were published in the magnificent series of Pacific Railway Reports; and, although these were issued under the auspices of the War Department, they may be ascribed to the Smithsonian Institution without impropriety. The surveys under Professor F. V. Hayden and Major J. W. Powell were aided by money from its funds, as well as by representations to Congress that secured the appropriations needed for their prosecution.

The wisdom of these acts has been proven by the results that have followed. The surveys dispelled the notion of "the Great American Desert," and showed a fertile country where a sandy waste had been thought to exist. They proved that the Rocky Mountains were neither impassable nor inaccessible, but were easily reached, and were filled with minerals of inestimable value. To the artist they revealed scenery that Europe cannot rival; to geologists they showed wonders whose like had never been seen, cañons with walls more than a mile in vertical height, geysers, and marvellous natural sculptures that are unequalled in the world, and beds of former inland seas that hold, as fossils, remains from which the history of life on earth has been deciphered. Ethnologists sent by the Smithsonian Institution have found that this continent was once inhabited by races of men who raised mounds that rival the pyramids of Egypt, and in which are buried memorials of long-forgotten nations. They discovered and described the strange homes built by the "cliff-dwellers" in rifts

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of the solid rock. They observed and recorded the customs, manners, rites and religions of the aborigines, and collected their myths, traditions and superstitions before contact with alien beliefs corrupted their integrity. By these researches a new field was opened to science, and civilizations as old as those of Asia were revealed and compared with those already known.

The practical value of these surveys was so apparent that many far-seeing men urged their extension over the whole country. It is evident that work of this description can be done only under national direction, for the methods must be uniform and the results, to be of value, must be reported in the same terms. Beds of ore and other geological formations pay little attention to political boundaries, and only Federal officials can carry investigations to conclusions without hindrances of this sort. The geological division of the Institution co-operated fully with the surveys of the War Department, until they were suspended by the outbreak of the Civil War. After the restoration of peace, the enormous development of the West brought demands on the Smithsonian Institution that its scanty means were unable to meet. As its reports had been the chief means by which the natural wealth of the Western country had become known, it was called on to make the knowledge more perfect, and, however willing, it could not respond to the demand. At last, Congress came to the rescue, and in 1879 the Geological Survey was established to make a systematic study of the whole country. The magnificent series of reports, bulletins, charts and monographs that have issued from this bureau may, without injustice, be regarded as ultimately due to the Smithson foundation.

While this great work was in progress, Professor Henry was organizing a force to make systematic observations of meteorological conditions. Before the Revolution, Thomas Jefferson, afterwards President of the United States, and James Madison, then President of William and Mary College and later Bishop of Virginia, maintained a correspondence in which each informed the other continuously of the atmospheric conditions that prevailed in his locality. Jefferson was at his home near Charlottesville, amid the foot-hills of the Blue Ridge, and Madison was in Williamsburg, in the tide-water section of the Colony, some 120 miles distant. They arranged for simultaneous observations of thermometric and barometric readings, the direction of winds

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and such other phenomena as they could record with accuracy with the limited apparatus at command. This was the first experiment of this character, and the original correspondence and records, now on file in the archives of the State Department, show that the idea of an organized weather bureau originated with these cultured men long before it was developed in France.

In 1849, Henry established the Smithsonian meteorological system. The work of Maury on the winds and currents of the sea had shown that such investigations are practicable, and the writings of Espy and others created a demand for similar investigations on land. Henry enlisted the aid of volunteer observers throughout the country who were willing to serve without pay, and a vast store of material was accumulated. The Medical Department of the army co-operated with the civil volunteers, and the Institution supplied instruments so that the observations might conform to a uniform standard. A result of this undertaking was that a great number of people in the country became interested in meteorology, and helped to overcome the opposition that superstition and ignorance offered to its progress. The telegraph companies gave generous assistance, and the practical value of the storm warnings soon silenced the most bigoted opponent of the system.

The quantity of data quickly became immense, and, as soon as a sufficient amount was on hand, the work of reducing it to scientific form was begun. The discussion of temperature and rainfall was assigned to Charles A. Schott, now celebrated for his researches into terrestrial magnetism, who arranged the hourly, bi-hourly and semi-hourly observations of temperature in such a manner that from them tables might be deduced for the correction of daily variations in temperature. He also compiled an elaborate set of tables showing the rainfall in different parts of the country as far back as trustworthy information could be had. Professor J. H. Coffin, of Lafayette College, undertook the work on the winds, and in 1853 his book, "The Winds of the Northern Hemisphere," was published. After his death his "Winds of the Globe" appeared, edited by his son and by the Russian meteorologist, Woeikoff. To meet the expense of these works and to pay for labor other than that of Professor Coffin, the Smithsonian Institution made appropriations from its own income, and thus established the infant science on a sure footing.

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It began the publication of daily weather maps in 1856, two years before Leverrier began the publication of the "Bulletin International," and seven years before the weather map was added to it—a fact overlooked by so compendious a work as the "Encyclopædia Britannica." The cost of this service steadily increased as it enlarged its scope, and it became too great a burden for the limited means of the Institution to bear; and in 1869 Congress established the Weather Bureau, placing it under the charge of the War Department. The practical utility of this bureau is so thoroughly recognized that it need not be more than mentioned; but not the least of its services has been freeing the minds of the people from the superstitions and follies that invested the whole subject for so many ages, and showing that the same natural law that prevails in the rest of the universe controls the winds and rains as well.

Professor Henry instituted in this country the plan of simultaneous observations devised by Leverrier in France, and all of the observers noted the readings of the thermometer, barometer and other instruments at certain fixed hours.

In 1845, Sir John Franklin made an attempt to discover the famous "northwest passage" from the Atlantic to the Pacific along the northern coast of America. The expedition was well equipped, and was provided with the two ships "Erebus" and "Terror," but its precise fate is one of the mysteries of the sea. In 1848, the British public began to feel uneasiness about the expedition, and search parties were organized to try to find out what had become of it. The same generous sentiment moved the American people, and Mr. Henry Grinnell, of New York, equipped the "Advance" and the "Rescue" to aid in the search. These vessels sailed in 1850, commanded by Lieutenants De Haven and Griffith, and accompanied by Dr. Elisha Kane, one of the most celebrated of Arctic adventurers. Professor Henry saw in this expedition an opportunity for research into the climatic conditions of the polar regions. The liberality of Grinnell had been reinforced by a grant from Congress, and this enabled the Navy Department to assume management and to detail its officers from the regular service. The Smithsonian Institution supplied these officers with the necessary instruments, and to their reports is due the first accurate knowledge that the world gained of the meteorological conditions of the arctic zone. The subsequent

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voyages of Kane, Hayes and others; the disastrous expeditions in the "Polaris" and the "Jeannette," and the later travels of more fortunate explorers, have furnished data from which those who penetrate these forbidding realms may learn in advance the obstacles and perils with which the weather may threaten them. Those of us whose ambitions lie in other lines may learn the causes of winter storms, and, when the causes have been fully shown, may find some preventives.

As the work of the Institution became steadily wider in scope and greater in volume, the labor entailed on its Secretary increased until it grew too vast for his performance. In 1850, Professor Henry asked the Regents for authority to appoint an assistant who should take charge of the department of Natural History and of the infant National Museum. The request was granted, and Professor Spencer Fullerton Baird, then of Dickinson College, Carlisle, Pennsylvania, was offered the post. Two years previously, he had applied for and had been granted the first appropriation made by the Institution for original research, and the sum so obtained had been applied to the exploration of bone caves in southeastern Pennsylvania. This incident seems to have been the thing that attracted Henry's attention to the young scientist and, as further acquaintance ripened the respect of each for the other, the offer and its acceptance were pleasing to both. To Baird fell a large part of the responsibility of developing the various departments and two great agencies have sprung from his labors. Although but one of these is still under the wing of the parent establishment, both take pride in their great founder, and the one that is now independent delights to use its freedom on behalf of its noble parent. These two agencies are the Smithsonian Bureau of Exchanges and the United States Commission of Fish and Fisheries.

The Smithsonian Bureau of Exchanges originated from a suggestion made by Henry and was adopted at a meeting of the Regents on December 8th, 1847. It was merely a plan for the enrichment of the library by exchanging the publications of the Institution for those of scientific bodies abroad, thereby performing the duty of "diffusing knowledge among mankind." The labor of organizing and starting the system into operation was done by Henry himself, but when Baird became Assistant Secretary he assumed charge of the exchanges and brought it to its present

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state of efficiency. By means of the foreign correspondents of the Institution, packages intended for exhange abroad were delivered to their consignees and the articles received in return were brought back and delivered without cost and without annoyance. At first this service was solely in the interests of the Institution, but Baird soon extended it to societies, colleges and individuals, and set about a task that would increase its value immeasurably. When the system was inaugurated, the annoying delays and the expenses occasioned by the requirements of the custom-houses added so greatly to the burden as to make it almost more than the Institution could bear, and the new Assistant Secretary determined to remedy the evil. He interested intelligent men throughout the country, and then made persistent and concerted efforts that induced Congress to adopt the enlightened policy of admitting through the custom-houses, free of all duties, scientific publications or other articles addressed to the Smithsonian Institution, whether for its own use or for that of its correspondents. Stimulated by this success, foreign societies urged similar action on their respective Governments with such effect that Professor Henry was able to say, in his report for 1854: "There is no port to which Smithsonian parcels are shipped where duties are charged on them, a certified invoice of contents by the Secretary being sufficient to pass them through the custom-house free of duty. On the other hand, all packages arriving at the ports of the United States are admitted, without detention, duty free. This system of exchange is, therefore, the most extensive and efficient which has ever been established in any country."

The utility of the Exchange Bureau was soon recognized, and those benefited by it availed themselves of its advantages to an extent beyond the available means of the Institution. A circular was sent to the principal transportation companies in 1855, explaining the objects of the bureau, and asking aid in the form of a reduction of rates. The replies show the high appreciation of science in America, for, while some offered a merely nominal rate, the greater number cheerfully agreed to transport the packages free of all charges whatever. This generosity enabled the service to be maintained for the time being, but its expense was still so great that curtailment seemed inevitable in this or some other part of the work that was being done so unobtrusively. The

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Department of State tried to persuade Congress to assume part of the burden, but it was not until 1881 that the sum of $3,000 was granted for this purpose. The amount was small, but it was a great help, and gave promise of annual appropriations in the future.

The publications of our Government and of those of foreign countries are often of the utmost importance to students, but it is difficult for libraries or individuals to obtain those issued abroad. In 1867 Congress ordered that fifty copies of all Governmental publications should be put at the disposal of the joint committee on library for exchange through the Smithsonian Exchange Bureau for such works published abroad, especially by foreign Governments, as the committee may consider a fair equivalent, and that such works received in exchange shall be deposited in the Library of Congress. It is apparent that this really threw the cost of making such additions to the Library of Congress on the Institution, and in 1876 this expense reached $10,000—nearly one-fourth of its total income. It was on this account that Congress was moved to aid in the work, but since the time that these appropriations have been available the Institution has been compelled to advance from its slender funds amounts that aggregate $45,175.82 for the transportation of Government documents; not one cent of which has been refunded.

The figures for the fiscal year 1895-96 give an idea of the enormous mass of matter handled by this bureau. From the published report, it appears that 18,550 packages were received from abroad, and 32,079 packages shipped to foreign countries in exchange on behalf of the various departments of the United States Government, while domestic societies received 2,115 and individuals received 3,899 parcels, all of which were delivered at their destinations free of all costs to their recipients. The figures speak for themselves, and show the part played by this wonderful organization in the "diffusion of knowledge among mankind."

A full consideration of the work and usefulness of the United States Commission of Fish and Fisheries would be out of place in this paper, but no account of the Smithsonian Institution is complete that does not contain a reference to its beginning. The depletion of the fisheries of our coast and inland waters became so apparent that Congress was moved to take action looking to

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their restoration. In 1871 a bill was passed authorizing the President to appoint a civil servant of the Government who had a practical and scientific acquaintance with fish and fisheries to inquire into the decline, to ascertain if it was real or apparent, and to suggest means for checking it. No pay was to be given for this service, and, although not named in the bill, there was but one man who could fulfil its requirements. This was Professor Baird, and, after being duly appointed by President Grant, he assumed the duties of the office. The appointment was a happy one in every respect, and in nothing was Baird's genius for administration seen to better advantage. No such bureau existed in the world; indeed, even so late as 1884, Mr. Huxley, writing of the exhibit of the Fish Commission at the Great International Fisheries Exhibition in London, said that it is an establishment "whose precise parallel it is impossible to find in Europe," but so broad and true was the foundation on which Baird placed it that the enviable position of practical and scientific efficiency that it now occupies has been attained by following the precepts laid down for it by its founder when such a bureau was an experiment. Although no longer officially associated with the Smithsonian Institution, the two bodies are united by the closest ties of friendship and are in hearty co-operation.

Probably most of the visitors to Washington think of the Smithsonian Institution in connection with the National Museum, and many of those who go to the Museum think it identical with the Institution. The connection of the two is most intimate, but they are distinct organizations: the National Museum being a bureau of the Government, whose employees are salaried officials of the United States, and the Institution, as explained above, being a private corporation supported by its own means. Its relation to the Museum can best be understood in the light of the history of the latter organization.

In 1840 there was a society organized in Washington under the name of the "National Institution," a title afterward altered to the "National Institute." For four years the society was very prosperous and possessed a numerous and influential membership. It gathered the nucleus of a national museum which it deposited in the Patent Office Building, but its greatest service was the cultivation of the idea that such an enterprise was worthy the attention of the United States. The society tried to obtain

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official recognition, but its efforts failing in 1846, it became inactive, and finally passed out of existence in 1861. The Smithsonian Institution was organized during its term of life, and one of the bequests to the new corporation influenced the fate of the Museum. This was a cabinet of minerals collected by Smithson, and as the Institution had to care for it the Governmental collections were also put into its charge, when, in 1858, the "National Institute" surrendered what was called the "National Cabinet of Curiosities." The deposits in the Patent Office were removed to the Smithsonian Building, and then received the name of the National Museum. The new Museum was made the lawful depository of all the material collected by the different departments of the Government, but while liberal in assigning duties Congress was not so thoughtful in providing for the costs of caring for the collections. The loving zeal of individuals supplied this lack in large measure, and the work of assorting and arranging the accumulation of materials was performed gratuitously by volunteers, some of whom were of world-wide reputation in their several specialties. Duplicate sets of specimens illustrating the different branches of science were prepared and arranged in systematic order, and were either exchanged for those lacking in the Museum, or were given to colleges, local museums and individuals carrying on original investigations. The funds of the Institution were insufficient to pay for such work, and the public owes a debt of gratitude to those who, like Coues, Cope, Ridgway, Gill and others, gave time and toil to performing a labor of love. In the report for 1870 the total income of the Institution is given as $43,363.12, of which $15,000 was devoted to sustaining the National Museum. The diversion of more than one-third of its entire income for the purpose of taking care of property belonging to the United States seriously crippled the Institution in carrying on its own functions, and in 1871 fifteen thousand dollars was appropriated by Congress and repeated annually for several years. The appropriation is now sufficient, with close economy, to meet current expenses, but there are no funds with which to purchase accessions, and the growth of the collections depends on the activity of other bureaus and the liberality of individuals. Despite this hindrance, the Museum now contains about three and a half million objects.

No sketch of the Smithsonian Institution should close without

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a mention of its publications. There are many works whose publication is demanded by the growth of science, but for which the demand would be so limited that no commercial publisher would be justified in issuing them. Such works are published by the Institution, and are either distributed gratuitously or are sold at nominal prices to those who require them.

The publications are in several forms. The annual report contains a statement of the operations of the establishment for the year, and an appendix in which are papers of a somewhat popular nature that bear on almost every field of human thought. A similar report is issued by the National Museum in which is embodied a list of articles based on the collections and of interest to others than professional scientists. The next series is made up of the "Smithsonian Contributions to Knowledge," a set of works that has run into thirty-three volumes, in whose pages is recorded the history of the human intellect for the past half-century. Less dignified than the "Contributions," but not less important, are the "Proceedings of the National Museum," a periodical containing technical papers on various subjects and intended to supply prompt publication to suitable essays, and the "Smithsonian Miscellaneous Collections," whose nature is sufficiently indicated by the name. Finally come the "Bulletins," monographs on different subjects of so high a character that several of them are recognized authorities of the highest order in their respective lines. To these publications is due the wide diffusion of scientific knowledge among the people of the United States, for they go to all parts of the country and are the only scientific papers that reach the masses of the people.

Such has been the result of a single benefaction of half a million of dollars, and perhaps no such result has ever been accomplished by so limited an endowment. Were the great sums given to swell the almost infinite endowments of some of our universities diverted to this unostentatious establishment, its power for good would be immeasurably increased, but as it is the bounty of a stranger and an alien has given the American people an agency for good whose influence is incalculable. It presents an opportunity to those who wish to bestow money for some beneficent purpose such as is given by no other on earth, and its scant means and petty endowment are a reproach to our rich and generous nation. CHARLES MINOR BLACKFORD, JR.

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THE NATION'S FIRST PENAL CODE.

BY GEORGE SUTHERLAND, UNITED STATES SENATOR FROM UTAH.

ON February 26th, 1908, the Bill to codify, revise and amend the penal laws of the United States was passed by the Senate and transmitted to the House of Representatives for its action. The Bill had been considered during a portion of nearly every session of the Senate beginning on the preceding 13th of January. The debate attracted very little public attention, although the Bill in question constitutes one of the most important pieces of legislation which have been before Congress for many years, embracing, as it does, the entire body of the substantive criminal law of the United States. The Bill was the result of the combined work of the Commission originally appointed in 1897, and the Joint Committee of the House and Senate appointed at the close of the Fifty-ninth Congress.

The Bill, as it finally passed the Senate, consists of 342 sections and is a comprehensive and coherent revision and compilation of all the purely penal laws now to be found in the Revised Statutes of 1878, the First and Second Supplements thereto, and volumes 32, 33 and 34 of the Statutes at Large. Certain administrative statutes containing penal provisions have been omitted, as belonging more appropriately to other titles. This revision will become the primary and authoritative source of the criminal law, and will obviate the necessity on the part of the courts and bar and the people of searching through the various volumes just enumerated.

Any one who will take the trouble to go through the various statutes of the United States will discover that the penal laws are in a most chaotic condition. There never has been any attempt to make a systematic and complete code such as exists in nearly every State in the Union. The first statute defining

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crimes against the Federal Government was enacted by the First Congress and approved by President Washington on April 30th, 1790. It consisted of thirty-three sections defining and providing for the punishment of twenty-two enumerated crimes, including treason, murder, piracy, forgery, larceny, perjury and bribery. It was soon discovered that this statute was wholly inadequate; serious offences were committed from time to time which were outside the jurisdiction of any State, and not covered by any provision of the Federal law. Early in the history of the Government, it became a question as to whether or not the common law in relation to crimes was applicable to the Federal Government, and it was decided that, while the common-law principles of interpretation, evidence, etc., with reference to crimes were to be considered by the courts in the administration of the law, there could be no substantive crime against the United States unless so provided by statute. The result was that, from time to time, additions were made by statute to the list of crimes as the necessity therefor became apparent; and as a consequence of this process the body of the criminal law of the United States has become simply a collection of patches, altogether inharmonious, and in many respects conflicting.

Occasional sporadic attempts have been made to correct this condition, but with rather indifferent success. The first attempt was by the Supplemental Act of 1825, written by Mr. Justice Story, which in addition to defining the offences of arson, murder and other crimes upon the high seas and other waters, extortion, forgery of notes and securities of the United States, counterfeiting, etc., contained a section which provided in substance that, wherever any offence was committed in any place under the exclusive jurisdiction of the United States, punishment for which was not specially provided for by any law of the United States, such offence should be punished upon conviction in any court of the United States having cognizance thereof in the same manner as provided by the law of the State within which the offence occurred. By this section it was sought to at least measurably remedy the absence of a comprehensive penal code, but it was held by the courts that, while Congress might thus adopt such of the penal laws of a State as were then in existence, the section did not apply, and Congress had no power to make it apply, to any law subsequently passed by the State, for the reason

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that to do so would be to unlawfully delegate to a State the legislative authority of Congress. After a lapse, therefore, of many years, it was found that the Federal Government was in the anomalous position of sometimes enforcing the laws of a State which had become obsolete and had been repealed by the State itself. After 1825 various additions were made to the list of criminal offences by subsequent Congresses, until finally a complete revision of the Federal Statutes was made in 1874, and embodied in the Revised Statutes of 1878. In that revision an attempt was made to collect under one title—namely, Title LXX—those penal provisions which were scattered through the Acts of Congress from the beginning of the Government down to that date. That title consists of 227 sections, and, while it may be regarded as a fairly comprehensive collection of the penal provisions then in force, practically no attempt was made to harmonize the conflicting and inconsistent provisions of the original enactments, but instead these were carried into and perpetuated by the so-called revision.

To eliminate and reconcile these conflicts and inconsistencies was one of the important duties to which the Committee addressed itself. To this end, certain general changes were made in phraseology. In place of a variety of expressions used to designate the class of persons penalized by the various enactments—such as "every person who," "every citizen who," does certain things, etc.—the committee adopted with some exceptions the uniform expression "whoever shall," etc. It was found that in the existing law many offences were in terms made punishable by imprisonment at "hard labor." The imposition of "hard labor" being purely a matter of prison discipline, this provision was eliminated from all of the statutes for the reason that it had sometimes led to embarrassment in the administration of the law. The general Government has comparatively few prisons of its own. Usually persons convicted in the Federal courts and sentenced to imprisonment are committed to some State institution. If the statute under which the prisoner is convicted prescribes "hard labor" as part of the punishment, and the State prison to which he is committed does not as a part of its discipline impose "hard labor," that part of the sentence cannot be enforced, and yet under the statute it must be imposed. Cases have actually arisen where prisoners have applied to be dis-

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charged under a writ of *habeas corpus* upon the sole ground that this feature of the sentence was not being enforced. This incongruity is removed by the elimination from the statutes of the words "hard labor" wherever they occur.

Another general change which has been made is the elimination from all the criminal statutes of the designation of the offence: as "felony," "high misdemeanor," or "misdemeanor," and the insertion of a section classifying in general terms offences punishable by death or imprisonment for a term exceeding one year as felonies, and all other offences as misdemeanors. This constitutes a simple and comprehensive classification readily understood and easily applied. Under existing laws the designation of offences as "felonies" or "misdemeanors" or "high misdemeanors" was wholly without discrimination and became the source of much and sometimes harmful uncertainty and confusion, particularly in the matter of determining the number of challenges allowed a prisoner in impanelling a jury.

A third general principle adopted by the revision is the classification of all accessories-before-the-fact as principals, under which an accessory becomes triable for the substantive crime, and the common-law rule—which often led to a failure of justice—that the accessory could not be tried before the conviction of the principal offender unless both were tried together, is abrogated. General provision is also made subjecting an accessory-after-the-fact to one-half the penalty imposed upon the principal, except where the punishment is death, in which case the punishment of the accessory is fixed at not more than ten years' imprisonment.

Finally, the existing laws have been so amended as to provide for the imposition of maximum penalties only, leaving the minimum punishment wholly to the discretion of the trial judge, the committee recognizing that cases frequently arise where even the imposition of the minimum penalty imposed by statute may be too severe. This change is in accordance with the modern criminal codes adopted by a very large number of the States.

The revision also contains a comprehensive definition of the jurisdiction of the general Government as applied to offences within the admiralty and maritime and territorial jurisdiction of the United States. Roughly speaking, crimes punishable by the Federal Government may be said to fall within one of two classes: first, offences against the sovereignty of the Government, such as

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treason, violation of the postal laws, counterfeiting, etc.; and, second, offences coming within the cognizance of the United States because committed within localities subject to the jurisdiction thereof, such as murder, robbery, arson, larceny, etc. Under existing law, in defining offences of the latter class, the jurisdictional facts are set forth in each section or act, and apparently without the slightest attempt at uniformity. Sometimes the language fixing the jurisdiction of the offence is comprehensive in its terms, and sometimes so restricted as to omit important places or elements. For example, Section 5,339 of the Revised Statutes provides that "every person who commits murder: first, within any fort, etc., under the exclusive jurisdiction of the United States; second, or upon the high seas or in any arm of the sea, river, haven, creek, basin or bay within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State . . . shall suffer death." This definition is fairly comprehensive. Section 5,346 provides for the punishment of an assault with a dangerous weapon upon the high seas, etc., or on board any vessel belonging in whole or in part to the United States, and omits entirely places purchased with the consent of any State for the erection of forts, etc. Section 5,348 provides for the punishment of mayhem committed within any of the places upon land, or upon the high seas in any vessel belonging to the United States or any State thereof, leaving out waters within the admiralty and maritime jurisdiction. Incongruities of this character run through all the statutes relating to this class of offences. The revision, therefore, gathers into one chapter all offences falling within the admiralty and maritime and territorial jurisdiction of the United States, and contains a single comprehensive jurisdictional classification at the beginning of the chapter. By this classification all offences of the kind mentioned are brought within the cognizance of the Federal courts: first, when committed upon the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or when committed within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States, or any State thereof, or to any corporation created by or under the laws of the United States or of any State, Territory or district

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thereof; second, when committed upon any vessel registered, licensed or enrolled under the laws of the United States and being upon a voyage upon the waters of any of the Great Lakes, namely, Lakes Superior, Michigan, Huron, St. Clair, Erie or Ontario, or any of the connecting waters, or upon the River St. Lawrence where the same constitutes the international boundary line; third, when committed within or on any land reserved or acquired for the exclusive use of the United States and under the exclusive jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the Legislature of the State in which the same is situated, for the erection of a fort, magazine, arsenal, dock-yard or other needful building; fourth, when committed upon any island, rock or key containing deposits of guano which may be considered as appertaining to the United States. The chapter then proceeds to define the various offences without repeating the jurisdictional elements.

Under existing statutes, murder is not divided into degrees. The revision divides the crime into murder in the first and murder in the second degree, and manslaughter into voluntary and involuntary manslaughter. The language defining various other offences is modernized so as to agree with the more recent provisions contained in various State penal codes, but care has been exercised all the way through to avoid any radical change in the substantive character of the offences as enumerated in existing law.

The limit of an article of this character precludes any attempt to enumerate at length the various other features of the new code. Several provisions of existing law which are clearly obsolete or unconstitutional have been repealed. As illustrating this class, the provision contained in the "Act to punish certain larcenies and receivers of stolen goods" (18 Statutes at Large, 479), to the effect that "the judgment against the principal offender shall be conclusive evidence in the prosecution against the receiver that the property of the United States described has been embezzled, stolen or purloined," has been eliminated as clearly opposed to the provision of the Constitution requiring that every accused person "shall enjoy the right to be confronted with the witnesses against him."

Provisions to the effect that accused persons may be tried either in the district where the offence may have been committed, or into

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which he shall carry or have in possession the property embezzled, stolen or purloined, have been omitted as being of doubtful validity, and as unjustly imposing upon the accused person the burden of bringing into the district where the prosecution is had witnesses from perhaps far distant districts where the offence was committed. These considerations in the opinion of the Committee far outweigh any question as to the convenience of the Government in being permitted to select the place of trial.

Another provision which was eliminated by the Committee was Section 3,954 of the Revised Statutes, which made it a criminal offence punishable by fine and imprisonment for any person who, having presented a bid for the transportation of the mails and having received the award, should wrongfully refuse or fail to enter into contract with the Postmaster-General to perform the service, or having entered into such contract should wrongfully refuse or fail to perform such service, and lest any person might escape by reason of the use in the statute of the qualifying adverb "wrongfully," it was further provided "that the failure or refusal to enter into a contract or to perform the service, should be *prima facie* evidence that such failure or refusal was wrongful." This provision may be regarded as something entirely unique in the history of penology. To make the failure or refusal of a person to enter into a contract, or the breach of a contract, even though made with the United States Government, a criminal offence punishable by a year's imprisonment and a fine of five thousand dollars, betrays, to say the least, a failure to observe the distinction which is usually recognized as existing between civil and criminal delinquencies. To violate a contract is wrong, but it is not criminal. The Committee recommended the repeal of the section—which had probably never been enforced—and the Senate concurred in the recommendation.

The Committee also eliminated from the statutes certain provisions attempting to make the violation of a departmental regulation a criminal offence, being careful to discriminate between cases where the regulation is *substantive* in character and where it is merely *incidental*—a distinction not always observed. In the first case, the law is clearly invalid as constituting an attempt to delegate to an administrative officer or department the authority which belongs to Congress to *make* law; in the second class, it is clearly valid as simply designating the *occasion* for

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the violation of the law, as, for example, a provision penalizing any postmaster who makes a false entry in any book required to be kept by law or the *regulation* of the Post-office Department. Here the *regulation* prescribing the book in which the false entry is made simply furnishes the opportunity for the breach of the statute, but the crime of making the false entry is determined by the law itself.

The Penal Code will, in the opinion of the writer, constitute a very marked and important improvement over the existing fragmentary, scattered, confusing and conflicting statutes. It will still fall short of being a complete code. Indeed, the very nature of the Federal Government, consisting as it does of forty-six sovereign States, forbids making provision for all of the vast body of crimes to which the jurisdiction of the Federal Government extends by reason of its exclusive legislative authority over certain localities in the various States where the criminal acts occur. Certain offences of this class—in the main of common-law origin—are enumerated and defined, but there still remain many offences against the written law of the various States with which the Federal Government cannot deal by special enactment. Many of such offences are peculiar to certain States, as, for example, the prohibitory liquor laws. As to such offences the general Government can make no uniform law operating in all of the States, because, while applicable to some States, it would be wholly inapplicable to others. This class of cases can only be covered by the general statute which the Committee, with some changes and amendments, has included in the revision, making an act penalized by the law of the State an offence against the Federal Government when committed within the limits of the State in or upon any place subject to the exclusive jurisdiction of the Federal Government.

It is the intention of the Joint Committee of the two Houses to proceed with the consideration of the remaining general laws as speedily as the importance of the work and necessity for care will permit, to the end that when it shall finally be completed and adopted by Congress we shall have a complete revision and compilation of the Federal law that will be harmonious and consistent.

GEORGE SUTHERLAND.

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THE NEW IRELAND.—IX.

THE UNIONISTS.

BY SYDNEY BROOKS.

I HAVE now passed in review the chief of the forces that are shaping a new Ireland. There is the Sinn Féin movement scouting the very idea of Parliamentary representation at Westminster and urging upon Irishmen the policy of boycotting England and all things English in Ireland itself. There is the Gaelic League which has touched and thrilled the secret chord of Irish nationality, and stirred into tingling life the dying sense of racial self-consciousness. There is the co-operative movement organizing, and therefore revolutionizing, Irish agriculture on a basis of self-help. There is the immense but by no means the complete or permanent pacification of the peasantry induced by the Wyndham Act. There is that strong, pervasive and most hopeful inclination towards the practical and constructive which is burrowing its way into many a stout citadel of prejudice and apathy, has given a new economic turn to Irish thought and interests, and has borne already in the Department of Agriculture and in the industrial revival fruit that will ripen and endure. All of these movements have this in common—they converge upon the individual, and through the individual they seek to regenerate Ireland from within, to convert responsibility from a platform platitude into a duty realized and acted upon by each and all, and to place in Irish hands the direction and development of Irish progress. And collectively I cannot doubt they are working a profound transformation in the soul, the instinctive ways of looking at things, the political perspective and the whole social and economic structure of the Irish people.

Very few of the formulas of ten or fifteen years ago apply to the

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Ireland of to-day. Even in Belfast disintegration spreads apace. Even in that mercenary stronghold of Unionism and bigotry, of far-seeing commerce and myopic politics, the foundations are beginning to tremble. The capital of the "Black North," the city of inexhaustible industrial marvels, is the Chicago of Ireland. Its people have developed a type of character almost as repellent in its strength as that of the Celts of Connaught is attractive in its weakness. Their splendid energy, fearlessness, force and tenacity, their almost matchless combination of power and efficiency, do not make them an ingratiating community. They are intolerant, uncouth, commercialized, rough-tongued, provincial. There is probably no spot in the world where 350,000 people produce so much wealth as in Belfast. Their ship-yards and linen-mills, their tobacco-factories and distilleries, their printing-works and rope-factories are the emblem of a magnificent conquest over inconceivable odds, a fine and indisputable record of industrial achievement. To grant them all that and to realize its significance is to understand, though not necessarily to sympathize with, their attitude, their natural and quite inevitable attitude, towards the five-sixths of Ireland that is Catholic, chimneyless, moribund and dreaming. If Chicago were planted in Lower Quebec, how would it feel and act towards its hinterland? Belfast remains, as one would expect it to remain, a hotbed of unbending Protestantism and almost ferocious Unionism. There is little community of interests or sympathies between itself and the rest of Ireland that it can be brought to feel or acknowledge. Having almost the monopoly of applied intelligence and commercial prosperity, having also Popery on the brain and its eyes on the counting-house, Belfast simply asks of Catholic Ireland to be let alone. It has persuaded itself that Home Rule not only means an incessant and harassing attack upon its industries, but is also a synonym for Rome Rule. With all their hard-headedness and practicality, the men of Belfast and Ulster, too, true to their Scottish origin, are a singularly emotional people. They still celebrate the Battle of the Boyne and drink to the immortal memory of William III as though the first were an event of yesterday and the second an active figure in present-day politics. They still speak of the Pope as though a new Armada were on the point of sailing. Outside of business, indeed, the men of Belfast seem hardly to care to reason at all. Their political

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creed is really a political cult, a compound of fears, instincts, hatreds and suspicions in which facts are metamorphosed out of all semblance to reality. Discussing Irish questions with them was, I found, very much like attempting to argue the race question with a Southern planter of the old school. They are a city of Tillmans; and the very qualities of earnestness, virility and obstinate fidelity to the few leaders who win their reluctant trust that have made them so formidable, have made them also the dupes of their prejudices and the easy prey of men to whom the rawness of the Orange creed is nothing but a laughable stepping-stone to place and power. Talk of the mob-ruled, convention-rigged opinion of Nationalist Ireland! It is to the cities of Ulster you should go if you wish to see the apotheosis of glib and fraudulent bossism; to Belfast and Londonderry and the neighboring counties, with their fantastic fear of "persecution," the queer perversity that has led them to confound Protestantism with Unionism, and their quite touching faith in the constancy of England's protection—a whole jumble of misapplied and misdirected enthusiasms witlessly serving the turn of landlord and lawyer interests.

But no community can wholly escape from its past. The Ulster of over a hundred years ago, whose Orangemen were the strongest of Irish Nationalists, whose citizens were the backbone of the Volunteer movement; the Ulster that splendidly re-echoed to the French Revolution and would willingly have shouldered a musket for the rights of man as well as for the wrongs of Ireland—is not altogether dead. Some breath of the old spirit still survives, and unless I am wholly mistaken is daily gaining a new confidence and vigor. Young Ulster is sheering off a point or two from the rock-ribbed faith of its fathers. It is beginning to abandon the theory that its whole purpose is to serve as an English garrison; it is cultivating a sentiment of loyalty to Ireland as well as to England. Many factors have combined to produce this change. It took rural Ulster long to realize that Catholics and Protestants, North and South, had a common interest, and substantially a common grievance, in the land question. But the lesson has been learned at last. If Irish Nationalism, as I have before observed, has been largely an agitation to beat rents down, Irish Unionism has been not less largely an agitation to keep them up. And in Ulster they have been kept up by the

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simple expedient of playing upon the Protestantism and the loyalism of the tenant farmer, and persuading him that religion, the Crown and landlordism were interchangeable terms. The landlords have seized upon and worked the bigotry and the organization of the Ulster Orangemen for themselves and their rent. I do not think they will be able to do so much longer. Thanks to the inspiring and indomitable leadership of men like Mr. T. W. Russell, the Ulster tenant farmer is fast coming to see that between himself and the evicted tenant of Kerry there is very little to choose and that both, in their different ways, have been equally the victims of an unblushing political confidence trick. It is in Ulster that the next great movement in the tortuous history of the Irish agrarian question, the movement for the compulsory expropriation of landlordism, will find its strongest backing. Meanwhile the workings of the Land Purchase Acts have helped enormously to clear the ground. The landlords are still throughout the province the dominant oligarchy, but their ascendency is no longer unchallenged; while their allies in the towns, the lawyers, the big business men and the upper bourgeoisie find their political rule vigorously assailed.

One must remember that Ulster is very far from being solidly Protestant or solidly Unionist. In three of its counties the Catholics are in an overwhelming majority; in three others Protestants and Catholics are nearly equally balanced, with the result that political contests are fought out there with an intensity and determination that, I suppose, are paralleled nowhere in the world; while in the remaining three the Protestants are by far the more numerous. But taking the province as a whole, the two creeds approach a numerical equality, the Catholics being in a minority of no more than twelve per cent., while the political representation is almost evenly divided between Nationalists and Unionists. It is probable, indeed, that there are actually more Home-Rulers than anti-Home-Rulers in Ulster, many thousands of its Protestants being among the most steadfast and vigorous champions of the National cause. This approximation to a balance between the adherents of the two religious and political faiths, if it has made Ulster the predestined battle-ground of a fierce party, sectarian and social strife, has had also the result of making the indefinite continuance of Ascendency impossible. When democracy arrived—as it arrived, for instance, ten years ago

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in the shape of the Local Government Act—the rule of a single class or a single faction was doomed and a rough-and-ready ratio was established between numbers and power. The old territorial and commercial, social and political oligarchy that used to hold the whole province in its grip is now confined to the counties of Down, Antrim and Derry with the towns of Londonderry and Belfast. In the rural districts landlordism in Ulster, as throughout Ireland, has been pretty effectually dethroned by the agrarian revolutions of the past thirty years. In the towns the once omnipotent Ascendency Party has to face an unparalleled concentration of attack. In Londonderry, for instance, Unionism only just manages to hold its own at vast expense and by prodigies of legal dexterity in the electoral revision courts. In Belfast a vigorous Labor Party has arisen, has already wrested one constituency from the "old gang," and at the next election will probably do better still. As a modern industrial city, largely Scottish in complexion, largely Presbyterian in faith, the natural spirit of Belfast is that of an advanced Radicalism. Hitherto this spirit has been held in check by the fear of the Pope and the fear of Home Rule. But it is now finding definite expression. An Independent Orange League was started some five years ago and has already grown into a considerable power. When we remember what Ulster has been, nothing could well be more significant than the policy it has formulated. For the League, while strongly Protestant, is also strongly democratic, strongly anti-sacerdotal, strongly Irish. It addresses itself to "all Irishmen whose country stands first in their affections," and it seeks to unite them all on a common plane of nationality. It is opposed to clericalism under whatever guise, Protestant or Catholic. It is not less opposed to Toryism. It would take public education out of the hands of the clergy and the priests and place it under the control of the County Councils. It denounces Dublin Castle with the fervor of a Nationalist M.P. It scoffs at the old-fashioned negative type of Unionism as an unintelligent and discredited creed. It is an effort, in short, to rouse the dormant democracy of Ulster against the domination of a class, to release Ulster politics from the grip of a selfish and do-nothing oligarchy, and to bring Irish Protestantism once more into the main stream of Irish life. The great blunder of the Irish Protestant in the past has lain in supposing that England and not Ireland was

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his native country; that to be loyal to the Throne he must be disloyal to Ireland; that Irish individuality, Irish ideals and Irish genius could only be fostered and developed by Anglicization; and that to make Ireland loyal and prosperous she must lose her distinctive nationality and nature along English lines. The Independent Orange League is a token that even in Ulster the stupendous folly and fallacy of such a policy and such an attitude are becoming recognized; and it means, I conceive, much for the future of Ireland that Young Ulster should no longer be satisfied to be the passive tool of a faction, to nourish a barren sectarianism or to look across the Channel for the centre of national interests, but should stretch out a frank and friendly hand to its Catholic and Nationalist fellow countrymen of the South and West. Nor does the League stand alone. The Local Government Act, the Department of Agriculture, the co-operative movement, and to a lesser extent the Gaelic League are having an immense and pacifying effect in bringing men of all creeds, classes and parties together for the common good. These are factors that are making steadily for the establishment of a greater communion between North and South. They are omens of the time when the two Irelands will be one, and intolerance, hatred and contempt will be merged in the synthesis of common interests and a common patriotism. I do not mean to say that Protestants and Catholics have fought their last disgraceful fight in the streets of Belfast, or that the great landlords and manufacturers of the North have as yet appreciably abated their antagonism to Home Rule, or even that Ulster will submit to any radical change in the form of Irish government without raising a tremendous fuss. But I do mean that influences are at work which seem destined to break down the isolation of the North, to create among all Irishmen a new sense of interdependence, and to revive in the Protestants of Ulster something of that old devotion to Ireland which was once their proudest title.

The Unionists and Protestants in Ulster form a compact and effective body. Throughout the rest of the country, with the exception of Dublin, they are little more than scattered and isolated units, powerful in wealth, social influence and commercial ability, but outnumbered and outvoted by the Nationalists and with next to no representation either in local or in Imperial affairs. They are landlords, judges, lawyers, land agents, the leading men in

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business and finance, Castle officials, professional men, nearly all, in short, who in any country compose the aristocracy and the upper middle class. For the most part they are the descendants of English colonists just as the Unionists and Protestants of Ulster are for the most part the descendants of Scotch colonists. Together these two divisions make up the British "garrison" in Ireland, numbering in all about a million and a quarter. The Irish elective peers who sit in the House of Lords are drawn exclusively from their ranks, and they return to the House of Commons some twenty members as against the solid, mechanical phalanx of eighty Nationalists; but from the business of municipal and county administration in Ireland, except in Dublin and a few districts in Ulster, they are almost wholly excluded. They were once the party of Ascendency; they are now, to a very large extent, the party of subjection. They once held all the offices and ruled the whole country as they pleased. They are now desperately battling for the last remnants of an authority that in the eighteenth century was absolute in every corner of the land. One by one their privileges have been whittled away and their political powers torn from them. The rise and abject fall of her aristocracy makes, indeed, one of the most melancholy pages in Ireland's history. As a class their failure in almost every relation of life has been prodigious and unique. They have failed as landlords, as leaders, as the instruments of English policy and the guardians of English interests. I am far from thinking that the fault has been wholly their own. The policy they were intended to serve was vicious in principle and irresolute in practice; the interests entrusted to their care committed them to a ceaseless warfare with their surroundings. An aristocracy in the real sense they have scarcely had any chance of being; their functions and their proper appellation were from the first those of a colonizing caste, a privileged oligarchy, a faction imposed and upheld from without. Conquest created them; forfeitures and confiscations established them; the arms of an alien Power have maintained them. They were placed in an impossible position, but they have themselves aggravated every disability to which their situation exposed them. As missionaries of empire their failure has been little less than grotesque; they have neither coerced nor conciliated the masses of the people into attachment to British rule. The vain and barbarous hope that they might

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wean the Irish masses from their ancient faith has died as it deserved to die. Put in supreme authority over a people pre-eminently aristocratic, they have proved lamentably unable to win either their affection or respect. The popular leadership that was in their grasp they allowed to pass into the hands of priests and politicians. They have thought more of exploiting and oppressing the country that lay at their feet than of developing and civilizing it. They have consistently put the rights of property above the rights of humanity. They have occupied the country, but have not governed it, or have governed it only in their own class interest. Their ascendency has been the beginning and the end of their politics. Instead of effecting the moral conquest of Ireland, of elevating her, of identifying themselves with her fate and aspirations, they have preferred to remain an alien and suspected colony, "mercenaries of England, and parasites of Ireland." As landlords the English colonists in Ireland have earned a world-wide infamy. Absenteeism, the rack-renting middleman, the establishment of competitive rents, ruthless clearances and evictions, and the systematic exploitation of a land-hungry peasantry, have been their chief contributions to Irish well-being. Is there in all history a class that has so missed its opportunities? The Irish gentry at the time of the Union sold their country and its liberties for gold and titles. There is not an abuse in State or Church or in the social order that they have not sought to perpetuate, not an iniquity they have not justified, not a reform they have not obstructed. Remorseless in the days of their triumph, they have borne themselves neither with dignity nor sense through the protracted stages of their downfall. One sees their representatives to-day in the House of Commons a dwindling and discredited band, without leaders or any positive programme, still scrambling for the last perquisites of privilege, still screaming for coercion, still declaiming against the "rotten, sickening policy of conciliation," still vilifying their countrymen, still betraying in speech and bearing and policy the venom and arrogance of an alien caste.

Is this to be their final end? Are they to go down into history simply as the most stupid and sterile aristocracy that the world has yet known,—stupid because they have leaned on England, the England that will always fail them, instead of throwing in their lot with their own people, sterile because they will not ac-

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cept the revolution they cannot prevent? Is posterity to have nothing more to say of the Irish gentry as a class than that, having abused all their privileges and thrown away all their chances, having earned the hatred of Ireland and the contempt of England, they pocketed the bonuses on the sale of their properties and passed sulkily into oblivion? There is the possibility that, after all, such may not be their epitaph, and that even at the eleventh hour the Irish aristocracy may escape the last reproach of Bourbonism. They have still one chance left of redemption. They are still, in spite of everything, the natural leaders of the people from whom they have unnaturally turned away; and Ireland, in the times that are coming, will more than ever have need of them. It is not a dream to imagine that their power of beneficent utility among a leader-loving people may yet be revived. Whatever their own blunders and shortcomings, there is, as I have said, a large sense in which history has made them what they are, the victims as well as the executants of a policy forced upon them from without; and the presumption, therefore, exists that as the conditions of Anglo-Irish relations change and begin, as they are beginning, to pass into a milder, mellower phase, the temper and aims and methods of the Irish aristocracy will insensibly change with them. I have already shown that the resultant of many converging influences is to make a breach in the aloofness of the ruling caste even in Ulster, to sap their political strength, to weaken their confidence in the possibility of holding their own on a basis of mere negation and to modify their anti-national spirit. But the effect of these influences, their general effect on the whole country and their more specific effect on the future and forces of the gentry who are the leaders of Unionism, has been enormously reinforced by the Wyndham Act. That great measure of appeasement is not, to be sure, the last word in Irish agrarian legislation. It has already disclosed some serious administrative and some still more serious financial defects. It needs amendment; it needs to be supplemented, and unquestionably it will be supplemented, by a Compulsory Act. But no one can doubt that it embodies the principles that will govern the final solution, if there is any final solution, of the Irish land-tenure problem. No one, that is, can doubt that within the next twenty or thirty years landlordism will be extinct and Ireland will have been converted into a land of peasant

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proprietors. The agrarian question, or rather, one form of it, is on its way to settlement; it is losing its old class contentiousness; above all, it is gradually ceasing to provide the motive-power for political agitation.

The land, one must remember, has always been at least as much the centre and rallying-point of Unionist defence as of Nationalist attack, and it means, perhaps, even more for the future of Ireland that the Unionists and the aristocracy should cease to be landlords than that the Nationalist peasants should become proprietors. The last emblem and stronghold of the British "garrison" has been their ownership of the land. They are now selling it as fast as circumstances permit; a generation from now they will have sold the whole of it. The ultimate effects of so great a revolution are beyond surmise. But one thing, even if it is the only thing, seems fairly certain. If the Irish gentry, having sold their estates, proceed to part with their demesnes as well, their mansions, "grounds" and parks, leave the country and transfer themselves to England, then their race is finally run, the curtain falls, and, so far as they are concerned, all is over. But there are many inducements to a higher choice. After all, Ireland is their home and they are Irish; the cheapness of living and the abundance of sport make their obvious appeal; the tenants with whom they were always at war will soon have become neighbors with whom they can live in peace; and the former landlord who continues to reside on his demesne as a country gentleman will find ready to his hand a new and beneficent sphere of activity, a great work clamoring to be done. To guide, instruct and encourage the new proprietors, to set the peasantry on its feet, to raise the level of rural economy, and to restore to the countryside its lost amenities—these are the tasks to which the Irish gentry are called, and in the discharge of which they may yet redeem their unhappy past by taking a secure, leading and incalculably useful part in promoting future progress. The abolition of landlordism really gives the Irish gentry their first opportunity of fulfilling the true functions of an aristocracy. How many of them will realize it I cannot tell, but it is an encouraging omen that so far comparatively few of those who have sold their estates have emigrated from Ireland. They seem on the whole inclined to stand by their country, and it is a moderately safe speculation that those who settle down on

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their demesnes under the new conditions will insensibly come to look upon themselves less and less as fighting units in the British garrison and more and more as Irishmen. They will identify themselves with the people; they will begin to share their National aspirations; the spirit of Irish patriotism may again descend upon them; and the future government of Ireland may be a Home-Rule government, with the consent and at the prompting of Irishmen of all classes, creeds and parties. More unlikely dreams than that have come true.

It is, therefore, quite conceivable that the cause of Unionism in Ireland may before very long become conscious of a slackening allegiance on the part of the very class which for centuries has been foremost in its support. Nor is it only the possible defection of the rural gentry that promises a profound modification of the old Unionist attitude. Ireland used to be all black or all white, all Nationalist or all Unionist. But within the last few years there has come to the surface a neutral, grayish tinge of political opinion that, while anxious to preserve the Parliamentary union between the two countries, favors a wide and liberal extension of Irish control over purely Irish affairs. This, it must be borne in mind, is not a recession on the part of the Nationalists; it is an advance on the part of the Unionists, not of all Unionists, but of some of their most enlightened and constructive members. The Nationalists still remain steadfast to Home Rule, but certain Unionists who have become alive to the expensive inadequacies of the Irish form of government, who realize its lack of responsiveness to the needs and sentiments of the people, and who diagnose the Irish situation as offering a choice between immediate upbuilding and rapid decline, have broken loose from the prejudices of their class and environment and are groping their way towards a policy which, without being Home Rule, will go a long way towards satisfying the Irish sense of nationality and will unite all Irishmen on a non-partisan and non-sectarian platform of internal betterment. Under one organization or another, as members of the Irish Reform Association, or as Devolutionists or as "Imperial" Home-Rulers, these men are gradually weaning Unionism from a policy of mere resistance to a policy of positive amelioration, are building up a body of moderate opinion, and are organizing Irish sentiment against the continuance of many tangible and recognized abuses. So far

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their movement has produced rather economic than political fruit. The conference of 1902 between landlord and tenant that partially ended the devastating fight for the soil, the agricultural co-operative movement, and the new importance which actualities are acquiring in the Irish mind, are all very largely due to the conciliating and practical efforts of the new Unionism. On the other hand, the Irish Councils Bill of 1907, which put into legislative form the political views of the Devolutionists, was rejected, unwisely and hastily, as I think, by the Irish people. The important thing, however, is less the fate of their particular proposals or their numerical strength in the country, than the fact that a growing body of Unionists should be conscious of the need of administrative changes, should admit that the present form of Irish government is neither perfect nor immutable, should proclaim aloud the existence of a genuine and distinctive Irish nationality and should be endeavoring to bring all classes and parties together for purposes of material reform. Their movement already embraces many of the aristocracy and gentry and of the leading men of affairs in Ireland. It is forwarded and encouraged by the disappearance of the old anti-Irish bitterness in England and by the multiplying proofs that English Unionists are growing less and less willing to take their cue on all Irish matters from the rabid "Ultras" of the North. To prophesy its future with any definiteness is impossible. One can do little more than note it as a hopeful and significant token of the new Irish aspiration after unity and constructive achievement. This much, however, may perhaps be ventured—that the broad direction of events points to the decay, and final extermination, of the old type of negative, *fainéant* Unionism and to the gradual approximation of all Irishmen towards a common centre. The barriers which for seven centuries have separated class from class and creed from creed are being torn down, and the time is coming when Irishmen of all ranks may meet and know one another and fraternize in the task of building up a really national life on a new basis.

SYDNEY BROOKS.

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THE SINGER OF THE SHADOWS.

BY AGNES LEE.

"If I could dwell
Where Israfel
Hath dwelt, and he where I,
He might not sing so wildly well
A mortal melody,—
While a bolder note than this might swell
From my lyre within the sky."

—EDGAR ALLAN POE.

FROM far beyond all death, all spaces dark,
With art sublime,
The singer of the shadows came to mark
His land, his time.

Stranger to joy, in bitterness he trod
The ways of men.
The hour's reality was not his god,
Nor day his ken.

His tenebrous thoughts harmoniously soared,
On sovereign breath,
In mystical vibrations of the chord
Of night and death.

Poet of grief, he sought her loneliest cave,
Her ultimate aisle,
Her ruined keep, her mouldering architrave
And peristyle.

Poet of tombs, the midnight was his theme.
Adventuring far,
He pierced the opal centre of a dream,
Or of a star.

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Poet of beauty, he bestowed her sleep,
And rich rebirth
In music marvellous, fantastic, deep,
To thrill the earth,—

Each note, the whisper of a soul, apace
O'er passion sped,
Driven to crowd the ghostly populace
Of voices dead.

Let those who walk with lore the beaten road
From others ask
The daily bread of thought, cheer for the load,
Sun for the task.

An hour there is when sunshine brings to pain
Unfaith, unrest,
When she would feel the footfalls of the rain
Upon her breast.

Then, circled in a misty aureole,
His charm distils
A craved narcotic for the fevered soul
From sorrow's hills.

Dear singer! Human hearts shall ever hold
His melodies.
They flash their beacons over manifold
Fair lands and seas.

England acclaims him. France, attuned, aware,
Greets him with bay,
And calls him brother, through her Baudelaire
And Mallarmé.

And we to-day the sweeter count the soil
That drank his tears.
His dust has flowered. The darkness of his toil
The light reveres.

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Too long have lettered dwarf and neophyte
  Cast him their stones,
Who flesh beheld, not spirit, worked their blight
  Above his bones.

Enough of slander! Bolted be the gate
  To evils wild
Envies evolve and lies perpetuate!
  Art owns her child.

. . . . . .

Cradle him soft, O Art! who only knew
  To speak thy tongue,
Thou being his life, and his life's residue
  The dream unsung.

Thy lesser planets let his glow outlive,
  High and apart,
Who, earthbound, gave thee all he had to give,—
  His tortured heart.

Pride has departed, Doom has crossed the door,
  Love calls farewell.
But from thy firmament forevermore
  Shines Israfel!

AGNES LEE.

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NEW BOOKS REVIEWED.

BY EDITH BAKER BROWN, BRIAN HOOKER AND BRANDER MATTHEWS.

THOMAS BAILEY ALDRICH.*

"How much T. B. would have liked it himself!" said one of Aldrich's intimates the other day, in speaking of Mr. Greenslet's recently published life. "Other biographers were talked of, but I don't believe one of them would have succeeded so well. Greenslet has done it with precisely that light touch which does give one some impression of the man himself. Do you know, T. B. has always reminded me of those lines in 'Much Ado' (how beautifully Ellen Terry used to say them!), 'Then a star danced, and under that star I was born.'"

Indeed, one sees at a glance Mr. Greenslet's purpose in composing a volume of such modest dimensions, as biography goes nowadays, spaciously printed, and with a list of chapters which reads like a pleasant story from Aldrich's own hand. Those who know how great was the wealth of material from which the biographer had to draw (for Aldrich's provocative gift of wit and friendship drew the best within his circle and made his correspondents almost as significant and delightful as he was himself) may regret many omissions. But the omissions suggest something of the artistic atmosphere of the subject as a more redundant narrative could not have done. Something of Aldrich's own delicate and fastidious art has gone into the composing of this volume, which remains chiefly a collection of letters with a thread of interpretative narrative and a critical postlude of perfect discrimination. Mr. Greenslet has none of the journalistic zeal for a provocative point of view. It is his subject rather than himself which he is content to let speak: "Tom Bailey," "The Hall

* "Life and Letters of Thomas Bailey Aldrich." By Ferris Greenslet. Boston: Houghton Mifflin Co.

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Bedroom," "Arrival," "Beacon Hill," "Ponkapog," "The Atlantic Monthly," "Indian Summer Days," "The Last Years"—as we go on from chapter to chapter that bright and virginal soul which was Aldrich lives again as it lives in the pages of the "Bad Boy" and "Marjorie Daw," and more and more distinctly we trace in the man the traits of a poet whose art had a singular clearness of aim and of accomplishment.

Mr. Greenslet says of the letters: "Aldrich was not a born letter-writer; he never, like Lowell or Stevenson, cultivated letter-writing as a fine art, still less did he ever pour out his 'soul' in lyrical effusion, like, say, Lafcadio Hearn. He wrote a letter, when he did write one, chiefly because there was some compelling occasion to do so, but never perfunctorily, never without the magnetic personal touch, the sincere friendly expression, and rarely without some sparkle of his inextinguishable wit. If the reader will let them have their way with him, there is no intimacy of temperament, no significance of event, no hue of background that they will not disclose." This is the reader's own final conclusion, but his first impression—and first impressions have their value, however they may be qualified by afterthoughts—is not the "intimacy of temperament" that we associate with the poet. As a charming social spirit, as humorist, pre-eminently as critic, Aldrich reveals himself. But of "lyrical effusion," of "soul" biography, there is practically none. Of his letters to his betrothed the biographer says, "In their sincerity, courage and humor they lay bare the very heart of the man—so intimate is their character that the pen pauses in the attempt to characterize them, and quotation is out of the question." That is as Aldrich himself would have wished, who said about a certain letter of his own, quoted without his knowledge, "I hope it was not too *intime,* for I don't like to wear my heart on my sleeve. The more I feel, the less I say about it." And yet though the omission of these letters is a delicate and even eloquent omission, it alters the values of the portrait, and leaves our imagination to construct the inner life of passion and of poetry, all the more because with Aldrich, as with Hawthorne, the emotional reserve of the man broke down only with one. It would be a very serious loss to the portrait if Aldrich's poetic gift itself were not touched by the same inviolable reserve.

But to the letters, with their charm of friendship and bubbling

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humor, and their trenchant comment on things literary and especially American things literary. One hardly sees how, fresh from a reading of them, any critic could have the hardihood to dispute Mr. Aldrich's claim as a writer of prose. Novelist he may not have been in any large sense—though the author of "Marjorie Daw" and "The Story of a Bad Boy" does not need to be measured by the novelist's rule. But there is humor as irresistible as Stevenson's, and never overtaken by the self-consciousness that now and then troubled even Stevenson's social muse, and occasionally a bit of prose, full-flavored, poetic, worthy of Keats himself. We are thinking of a certain letter to Howells, half-whimsical, half-melancholy, touched with the pathos of passing things. It is hard to choose from material so rich, but this passage from another letter written to Stedman after six years' residence in Boston serves the double purpose of showing Aldrich's intellectual bent and catching the flavor of his wit:

"In the six years I have been here I have found seven or eight hearts so full of noble things that there is no room in them for such trifles as envy and conceit and insincerity. I didn't find more than two or three such hearts in New York, and I lived there fifteen years. It was an excellent school for me—to get out of! I wonder that I got out of it with my English tolerably correct. It is a great world, and I would come back to it (you see I am writing as if I were a disembodied spirit with particularly snug quarters in Heaven) if I could drive a four-in-hand, own a couple of opera-houses with all the Terpsichorean live-stock, and be colonel of the Ninth Regiment in pleasant weather. Nothing short of this would induce me. Life in a young palace here, with plenty of friends and books and reasons for loving both, is better than poverty in New York."

And lest some profane New-Yorker should comment on Aldrich's provincialism, here is the opening paragraph of our critic's last letter:

"DEAR WOODBERRY,—I have just finished reading your 'Emerson.' It is a beautiful book, and is to be rated with your finest critical work. How fine I consider that you know of old. I was freshly impressed by your statement of the gray atmosphere and severe surroundings of Emerson's life. What a salted-down and austere existence it was! How few luxuries in it! Emerson's mind would have been enriched if he could have had more terrapin and less fish-ball."

Again this whimsical fling at contemporary taste in literature is most characteristic:

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"I shall go there without any literary plans, unless I carry out my idea of turning 'The Eve of St. Agnes' into Kiplingese. Wouldn't it be delicious!

> "'St. Hagnes Heve! 'ow bloomin' chill it was!
> The Howl, for all his hulster, was a-cold.
> The 'are limped tremblin' through the blarsted grass,'
> Etc., etc.

I think it might make Keats popular again—poor Keats, who didn't know any better than to write pure English. The dear boy wasn't 'up' to writing 'Gawd' instead of God."

Here, certainly, we have a critic with his own clearly defined intellectual personality. Of Whitman he writes:

"Where he is fine, he is fine in precisely the way of conventional poets. The greater bulk of his writing is neither prose nor verse, and certainly it is not an improvement on either. A glorious line now and then, and a striking bit of color here and there, do not constitute a poet for the *People*. There never was a poet so calculated to please a very few."

And of Lanier he says: "I think Lanier was a musician, and not a poet."

Somewhat in this way, doubtless, a member of the French Academy might speak, if he were born into Boston and called upon to pass judgment on American letters. As a critic Aldrich had his canonical code, a body of tradition behind him, and a great reverence for the technique of his craft. He was artist in every fibre of his finely bred intellectual personality, and to an extent hardly counterparted by his American contemporaries. If there is a touch of caste in his judgments, we forgive them, because they are so utterly without personal prejudice and rancor, and because he brought to his own work the same cool and dispassionate consideration. Letters in this volume to Mabie, to Sherman, and to others have forestalled all future criticism of his work in their modest self-knowledge. Indeed, there was no one more open to criticism, less occupied with the little vanities of authorship, than Aldrich. Only for his ideal was he a partisan.

"'What you say about over-elaboration,' he writes to Stedman, 'is admirable. That is *bad* technique. The things that have come down to us, the things that have lasted, are *perfect in form*. I believe that many a fine thought has perished being inadequately expressed, and I know that many a light fancy is immortal because of its perfect wording. Moreover, I have a theory that *poor material* is incapable of the highest finish. You can't make even statuettes out of butter.'"

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If Aldrich's letters had no other distinction, they would still be a priceless manual for critics, in our uncritical land.

And yet we have to deal finally not with a critic but with a poet. Perhaps one reason for that superficial impression of this life that it is not pre-eminently a poet's biography, is the entire lack of romantic egotism in the subject. As Aldrich himself says humorously of Poe: "I've an idea that if Poe had been an exemplary, conventional, tax-oppressed citizen, like Longfellow, his few poems, as striking as they are, would not have made so great a stir." Partly, too, it is the effect of the biographer's reserve, but that is a reserve very clearly reflected in Aldrich's own muse. In a very significant note to an "Atlantic" contributor, Aldrich says: "Why should we print in a magazine those intimate revelations which we wouldn't dream of confiding to the bosom of an utter stranger at an evening party? In what respect does the stranger differ from the public which we are so ready to take into our confidence?" And one thinks immediately of a certain well-known poem of Aldrich, which has been purged of its personal references in the last edition. But there is something here other than a self-conscious guarding of the emotions. There is the temperamental necessity of a peculiarly sensitive gift. "If anything should happen to my boy I'd never again set pen to paper," he wrote, before the great sorrow of his life, and, as a matter of fact, "his literary faculty was shrivelled by it," writes his biographer, "as by a touch of evil magic." One thinks by contrast of the thrilling beauty of Emerson's "Threnody" and how it welled straight out of the deep heart of passion. It is a typical difference of genius. Aldrich's personal life was singularly concentrated and deep, but his delicate art was meant to be the vehicle of lighter moods than the full-charged heart of passion, and he was entirely content to have it so.

It is this entire faith in his own particular poetic mission which is the secret of Aldrich's perfection as an artist and part of the man's own singular simplicity of character and of temperament. He was untroubled by artistic aims not his own; perhaps he did not greatly care for them, as a more versatile and complex sympathy like Mr. Howells's has cared for them. By the storm and stress of contemporary life, by the intellectual unrest, the thirst for strong sensation, the moral misgivings of our at once materialistic and romantic civilization he was hardly touched. For

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some this will always limit his humanity as a poet; and yet for a chosen few he will have at certain moments a keener thrill for the spirit than any other American, perhaps, save Emerson. There is something here, the real poetic afflatus, as we feel it only in a very few. The white fire at the centre of Aldrich's art was the singleness of his passion for beauty. He served her with his whole heart, without any misgiving or the hope of any reward of fame, and there are certain immortal lines of his which simply for their beauty hold the secret of all love, the pathos of life and death, their mystery and their consecration.

EDITH BAKER BROWN.

"ORTHODOXY."*

SOME years ago, Mr. G. K. Chesterton produced an astonishing book called "Heretics," which dealt with things in general from the point of view of a man who disagreed with the Twentieth Century. It was received more like a popular novel than like a philosophical religious work: that is to say, it was read passionately and praised for its style regardless of its substance; according to the convention that a man's attitude toward the universe is important only as to the expressive grace of its pose. It was against this very notion, oddly enough, that the whole attack of the book was directed. It says, substantially: "The one most important thing in a man, especially if he be prominent, is his philosophy, his message; and many prominent modern philosophies are dangerously wrong. Mr. Kipling's Cosmopolitanism is wrong; the *Carpe Diem* of the 'Rubaiyat' is wrong; Mr. Lowes Dickinson's Neo-Paganism is wrong; the cult of the Superman is wrong." And so on with several other modern Ideas of more or less importance. To this, people made the natural and obvious reply: "You attack the philosophies of others. Well, what is your own?" And Mr. Chesterton has answered with his new volume "Orthodoxy," in which he confesses his faith as the Christianity of the Apostles' Creed, and expounds how and why he finds all fulfilment therein. It is a book of surprising thought surprisingly expressed.

And it is with his expression that we have first to deal. For Mr. Chesterton's manner of speech has been so much talked of

* "Orthodoxy." By Gilbert K. Chesterton. New York: John Lane Co.

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and criticised both sensibly and foolishly that the man and his thought loom distorted to the popular view through a cloud of words. We have called him clever, sophistical, epigrammatic, brilliant, absurd, insincere, a prophet and a buffoon. We have applauded him as a clown instead of listening to him as a philosopher. We have set him upon the right hand of Bernard Shaw in a nimbus of verbal fireworks; and this is unjust to both; for not only are both men fundamentally consistent and sincere, but they are utterly unlike except in some trifling peculiarities of style. Criticism of Mr. Chesterton's philosophy, therefore, must begin by analyzing the current criticism of his style. We can judge of his dialectics only when we have understood his dialect.

The first characteristic of Mr. Chesterton's style is a certain laconic and stunning clarity. He writes almost in words of one syllable, with a pungent terseness and concreteness. He envisages great questions with something of the shocking directness of the "*Enfant Terrible.*"

> "The fear is that, as morals become less urgent, manners will become more so; and men who have forgotten the fear of God will retain the fear of Littimer. . . . For when you break the great laws, you do not get liberty; you do not even get anarchy. You get the small laws."

At first glance, there is something almost uncanny about this. Can a really deep matter be truly expressed with such childlike finality and clearness? But the more you think, the more perfect its truth appears. Its very depth of lucidity gives it a color of doubt, as the clear sky looks blue from very transparency. Now a great many people distrust and dislike this epigrammatic precision in great ideas. Their very natural attitude is that it is outrageous for any man to settle so easily what they themselves can hardly settle at all. If we agree, it is an insult to our intelligence thus to turn a problem into a truism; if we disagree, why, there must be some trick in it because it sounds so true. Closely akin to this is Mr. Chesterton's habit of stating a law as a paradox; for a paradox is, properly used, simply a short cut. Every truth of human nature is in essence paradoxical. "He that will lose his life, the same shall save it" is the practical statement of the law of Courage: the man who is afraid is the one who gets hurt. So Humility brings success; so we love only when we love some one for having faults, and truly hope

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only in despair. Mr. Chesterton did not make these paradoxes: Humanity made them; he only saw and stated them. And it is strange that the evident source of Mr. Chesterton's style is not more popularly discovered. For only one other style in literature shows the same quintessential blend of paradox and homely finality; and that style is typified in the Sermon on the Mount.

But in all Mr. Chesterton's work there is a third very personal note which is less directly Biblical: his pervasive and uproarious humor. This may be shortly described by saying that he never, upon any subject, misses a chance to be funny. Between two expressions equally clear and concise he will choose the more ludicrous every time.

"The author solemnly explained that the two creeds were alike in things in which all creeds are alike; thus he said that both Christ and Buddha were called by the divine voice coming out of the sky, as if you would expect the divine voice to come out of the coal-cellar."

There are two very foolish objections to this sort of thing. The first, that a man who writes thus cannot be sincere, has been sufficiently answered by Mr. Chesterton himself: Funny and Sincere are no more antithetical than Black and Triangular. The second objection is that he is a Smarty: that he is absurd out of a self-conscious desire to be laughed at. Now, it is perfectly evident from his whole work that Mr. Chesterton laughs not because other people like it (many of them do not), but because he himself likes it. He jests about great matters out of a glad certainty, as only the happy lover dare make merry over love. But there is a third objection here, perfectly sound and unanswerable: many people are offended by any levity about serious things. Profanity (unlike Blasphemy) is never a sin against God; it is a sin against man; wherefore it cannot be excused by its motive. Honest laughter is a blessing; but you must not laugh too noisily in a sick-room. In sum, then, Mr. Chesterton pays the price of his admirable style. He is so tersely clear that all vague minds distrust him; he offends the solemn by his glorious joviality. And the Democracy's case against him is briefed in two popular phrases of surprise: "You don't say!" and "You don't mean it!"

Nevertheless, "Orthodoxy" is a great endeavor achieved. Its very failures are such as prove success; for you cannot succeed in contrary ways. And in this task it was much merely not to

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fail. It often happens that an author's first book by its very merit stakes his whole reputation upon his second: he must rise to the height of some great argument or fall to the whole depth of it. Now, "Heretics" aroused such a demand, huge and even unreasonable; for it is quite unjust, though most natural, to demand that a critic improve upon the thing he condemns. But Mr. Chesterton took up the gage, and his courage is justified. If "Heretics" was read like a novel, "Orthodoxy" is read like a detective story. Indeed, in a high sense it is a detective story; for it relates how a man dealt with the deepest of all mysteries, and at the last discovered God. One has even the feeling that it would be unfair to summarize the book. But this much may be told without giving away the pleasure of the future reader: Mr. Chesterton begins by showing that the scientific Determinism is akin to madness, and that Free Thought has begun to doubt even itself. Thus having cleared the ground, he goes on to tell of his own journey through unbelief, of his formulating one human need, one human contradiction after another, until at last he found in Christianity a fount of sovereign paradox that satisfied all. "I did try to found a heresy of my own; and when I had put the last touches to it, I found that it was orthodoxy." As to how this is told, it is enough to say that every page is like a cold bath—a shock and a surge of life.

But in manner as in style, the book pays the penalty of its merit. In the first place, it does not cover its own ground; for it expounds the author's theology only in part. It is all very well to cite the Apostles' Creed as a summary; but the Apostles' Creed is a mere formula, demanding exegesis; and in showing why he believes in it, Mr. Chesterton falls short in the more important matter of showing how he believes in it. We know how he understands the doctrine of the Fall: how does he understand the doctrine of the Redemption? In the second place, he has aroused the desire for belief without satisfying it. It will not do to say that in this volume he is concerned not with whether Christianity can be believed, but with how he came to believe it. For in writing his own apology he has written so much of the apology of his Faith that he has bound himself to write the rest, so far as he can; and herein lies his terrible responsibility. In short, Mr. Chesterton is like the average Christian in this, that he talks much about the world, somewhat about

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Hell, and not nearly enough about Heaven. Yet he is not the average Christian, for all his democracy, any more than Walt Whitman or Thomas Aquinas. He bases his faith upon an instinctive loyalty to the world; whereas it is a Christian tradition (perhaps heretical) to despise the world. The Catholic regards the world as a quarantine, the Protestant as a purgatory. Again, Mr. Chesterton sets up a nine-pin system of objections to Christianity which he promptly proceeds to bowl over: such as that it contradicts Evolution or Anthropology; that it is unpractical or historically obsolete; that priesthood is a blighting influence, or that Jesus was a mild and sheepish creature. These last two are indeed human objections, but they are not humanly stated. A man disbelieves not because he thinks that Christ was too meek, but because he feels that Christ was too innocent; not because priesthood is a blight, but because most of the priests he knows are unmanly. And the other four objections are even more unnaturally logical. A man is not reasoned out of his faith: he is laughed out of it by the sense that God never interferes, or tortured out of it by the sense that God does not care. Mr. Chesterton knows these things, but he has not applied his knowledge; and the first Salvationist on the street corner could tell him that he has dealt rather with the arguments by which people justify unbelief than with their causes for unbelieving.

Many people, of course, avoid Christianity simply through fear of its ethics: they do not want to be as good as they can. But aside from mere moral cowardice, the actual objections of honest people to Christianity may be summarized in two words: the feeling that it is inhuman; and the feeling that it is ungodly. The first attack only the one religion which pretends to humanity. Many have felt that in the face of this wonderful world full of incredible beauty and horror, Hell is a gratuitous nightmare. Heaven undesirable, and the divine sacrifice a kind of cosmic mummery. You cannot move us with the idea of Judgment; simply because, while the least of mankind can conceive a better or worse world than this, the greatest cannot imagine such worlds. Of the other religions no one demands these things: so it is not really the divinity of Jesus that people question; it is his humanity. The second cause of unfaith attacks every religion alike. The old question whether God could make a stone that He could not lift is more than a blasphemous quibble: it phrases the ulti-

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mate paradox, the final question of life. For the name of that stone is Pain. We live in a world where innocent women die in agony, where love and honor run to waste, where cause and effect mock at our sense of personal justice. Why must this have come to be? Science answers: "By necessity." But that is no answer: who is Necessity? Buddhism answers: "By desire." But that is no answer: it is only anæsthesia. Christianity answers: "By original sin." But that only delays the question. Why then was sin let loose upon us? Did God make Satan too strong to bind? And there we are back to the Stone again. Mr. Chesterton very wisely says that God divided us from Himself that between separate selves love might be. Very well: it is true that you can love your child only because he is not yourself; but would you hurt him for the sake of comforting him again? Mr. Chesterton, like his opponents, has failed to define the goal of his progress; for he has not defined Good and Evil; and they can be defined. He lays aside Sin, whose existence some deny, to begin his argument with the unquestioned fact of Madness. He would have done better to begin with Pain.

"Orthodoxy" is the most important religious work that has appeared since Emerson. This statement will merely provoke incredulity, because Emerson is dead and Mr. Chesterton alive. It is made, therefore, not in the vain hope of carrying conviction, but merely for the sake of going on record as having made it. But as "Heretics" demanded a sequel, so "Orthodoxy" does far more: it makes its author responsible for a sequel.

BRIAN HOOKER.

THE LIFE OF HENRY IRVING.*

FROM the bibliography which Mr. Brereton appends to each of his volumes, we learn that his is the twenty-seventh book which has had to do with the career of Henry Irving as an actor or as a manager. His own is the latest, as it is the most elaborate and comprehensive. It rivals Lord Morley's "Life of Gladstone" in its thoroughness and in its amplitude. Indeed, it may not unfairly be described as the most comprehensive biography of an actor—who was not also a dramatist—which has yet appeared.

* "The Life of Henry Irving." By Austin Brereton. With twenty-three illustrations. 2 vols. London and New York: Longmans, Green and Co. 1908.

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It supplies all the information which the most devoted student of the stage can demand. It is a worthy memorial of a fine and sincere personality and it is a model of modest and painstaking accuracy.

Mr. Brereton declares in his preface that as his book tells "the story of the life of Henry Irving, it follows that, in regard to the author, it is almost entirely impersonal"; and he asserts that in writing the book he has assumed "the attitude of a third person." And this is exactly what he has done. Keeping himself in the background, he has centred attention upon Henry Irving. He has made little or no attempt at criticism or at appreciation of his own; he has been satisfied to give us a solid record of the achievements of Henry Irving. The style of the book is a little colorless and we are surprised by no sudden flashes of critical insight, lighting up the darker corners of the actor's art; but the job is done in workmanlike fashion, with indefatigable industry and with abundant discretion.

If the author is sparing of his own criticism he is lavish in quotation from the criticism of others, unfavorable as well as favorable, hesitating as well as eulogistic. It seems that the actor had kept from the beginning of his career a complete collection of his newspaper notices; and this has enabled the biographer to prepare a full list of the six hundred and seventy-one parts acted by Henry Irving during his scant half-century on the stage. Nearly six hundred of these characters were undertaken by the actor in his 'prentice years in the provinces before he came up to London; and less than thirty were first seen during the final quarter-century of his life after he became his own manager. The extraordinary variety of the characters impersonated by the actor in his earlier years on the stage is significant, for it was by this youthful hard work that his native gift was developed, trained and made efficient. An art—and especially the difficult art of acting—can be acquired only by incessant practice.

The newspaper articles which Mr. Brereton quotes from, judiciously and yet freely, show that Irving very soon after he went on the stage revealed his individuality; and even when he held only a humble position on the stage, there were not lacking keen-eyed critics who saw promise in the young actor's work. When Mr. Brereton has carried Henry Irving to London, he gives us

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fuller details. He supplies us with the cast of the plays in which the actor took part; and he gives the exact date of the production and counts the number of performances. And when the biographer comes to the period of Henry Irving's splendid management of the Lyceum, he supplies us, along with the casts of the several productions, the gross receipts of the several plays and the profit or loss of the successive seasons. We are here informed fully as to the immense gains made by the actor and manager in his several tours here in the United States, those tours which were like triumphal progresses through a friendly country. The total receipts of his eight visits to America were nearly three millions and a half; and in 1899-1900 his average profit was more than five thousand dollars a week.

Not only does Mr. Brereton quote freely from the newspaper criticisms, he cites skilfully those speeches in which Henry Irving was often reminiscent and autobiographic. And he gives many an extract from the more formal lectures which the actor delivered from time to time at Harvard and Columbia and afterward at Oxford and Cambridge. In these carefully considered addresses Henry Irving was constantly pleading for his own art and for the drama which as an actor he interpreted. If the theatre holds a loftier position to-day in Great Britain and in the United States than it did half a century ago, as it undoubtedly does, a large share of the credit must be given to Henry Irving. Especially worthy of note are the opinions he frequently expressed as to the value of an endowed theatre, of a temple of the drama which should not be wholly dependent upon the takings at the door.

It is now more than forty years since the present writer had the pleasure of first seeing Henry Irving on the stage, as *Abel Murcott,* when the elder Sothern acted *Lord Dundreary* in Paris in 1867. He saw him again in 1870 in the "Two Roses" and in 1873 in "Richelieu"; and he had opportunity to witness the performance of nearly all the actor's later parts. Perhaps this is a qualification for expressing complete agreement with Mr. Brereton's claim that Henry Irving ripened in his art as he advanced and that he was in continual progress. He had his mannerisms and his limitations, no doubt; but so has every artist, even if his were more obvious than those of most artists of equal renown. He was greater in character-parts than in the figures

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of pure tragedy; at least we recall him more readily in the "Bells" and in "Louis XI" than in "Macbeth" or "Lear." But he had many of the qualities of genius—energy, sincerity, imagination, nobility of soul and the power of projecting a character; he had also marvellous skill in stage management.

It was often made a matter of reproach to the manager of the Lyceum that while he was doing much for the theatre he was doing little for the drama of his own time. And Mr. Brereton's list of the new plays produced by Henry Irving shows that there was certain foundation for this charge. In the quarter of a century of his management he brought out only one original play of genuine poetic value, Tennyson's "Becket." It is true that two other modern plays in which he appeared deserve a certain commendation, Wills's "Charles I" and Comyns Carr's "King Arthur." For the rest, for "Vanderdecken" and "Ravenswood," for "The Medicine Man" and "Peter the Great," there is little to be said. Apparently the actor-manager's judgment in regard to unacted plays was not very acute; and it may be that he felt this and that this was the reason he went out of his own country and besought Sardou to write "Robespierre" and "Dante" for him—plays which have not been deemed worthy of performance in Paris. But there is this to be said also, that few actors of the highest rank have ever done much for dramatic literature. John Philip Kemble did little, and Edwin Booth did nothing at all; they were satisfied with the characters which Shakespeare had created and they did not care to adventure themselves on uncharted voyages in search of novelty.

There remains to be noted again the fact that Mr. Brereton has done his work with praiseworthy self-suppression. His discretion is indisputable; but his reticence allows us now and again to catch a glimpse of significant incidents which he does not care to dwell on. For example, there is in the second volume, on page 129, a note on the late Richard Mansfield's tenancy of the Lyceum, which is not without interest. Especially dignified in tone is the biographer's account of the invitation which Henry Irving extended to Edwin Booth, and of the memorable performances in which the foremost actor of the United States appeared by the side of the foremost actor of Great Britain, and as his guest.

BRANDER MATTHEWS.

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WORLD-POLITICS.

LONDON: ROME: WASHINGTON.

LONDON, *December, 1908.*

"THE TIMES" in no way exaggerated when it said that the Agreement between the United States and Japan was hailed "with the deepest gratification" by the British people. No international development in the Far East could have been more absolutely in line with British wishes and policy, and the welcome given to it was immediate, hearty and spontaneous. It is precisely what British diplomacy has hoped and worked for. Directly the Anglo-Japanese Alliance in its extended and more effective form was concluded in 1905, it was prophesied in this REVIEW that it would become the nucleus of a Far Eastern league of peace. The prophecy has been fulfilled. Russia, France and now the United States have each in turn subscribed to its central purposes; and so far as diplomatic conventions can insure it, the peace of the Far East, the integrity of China and the principle of the open door are now firmly buttressed. But it is not on that account alone that Great Britain has so warmly welcomed the new Agreement. She welcomes it also because it brings together one Power for whom she has nothing but the friendliest sentiments and another Power with whom she is linked in the closest possible bonds of political co-operation. It is no secret that the friction between the United States and Japan over the immigration question and over the treatment of American trade in Manchuria has been watched by Great Britain with extreme regret and not a little anxiety. Her relief is, therefore, all the greater that the two Governments should at last have realized how small and unimportant are their points of difference compared with their points of agreement, how little either has to gain by ill-will

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and how greatly a frank political understanding must conduce to the advantage of both. But besides this the Agreement is peculiarly acceptable to British opinion because it emphasizes anew America's interest in the politics of the Far East—an interest that ten years ago was virtually non-existent—and registers her determination to assume the active and commanding *rôle* imposed upon her by her commercial and political stake in the future of the Pacific. The greater that interest and the more active that *rôle,* the more confident is Great Britain that the identity of Anglo-American aims will be fully established and that Anglo-American co-operation will become a fixed point in Far Eastern politics. Moreover, the mere fact of the Agreement is regarded over here as marking a momentous, almost indeed a revolutionary, departure from American traditions. It is the first formal acknowledgment in our time that for the United States the days of "isolation" and "independent action" are over and that working compacts for specified ends with other Powers are to be included henceforward among the resources of American diplomacy. This is a development with which British opinion is altogether in sympathy. It makes American participation in *Weltpolitik* far more effective than it was or could have been when the State Department at Washington and American popular prejudice unreflectingly and automatically ruled out the possibility of such arrangements; and it brings an Anglo-American alliance so much the nearer.

Great Britain, however, has noted with some astonishment that while the Agreement appears to have been overwhelmingly approved by the American press and American opinion generally, Mr. Root has not dared to cast it in the form of a Treaty for submission to and ratification by the Senate. The reasons why he has refrained from this step are well understood over here and are taken as indicating a somewhat serious defect in America's equipment for international politics.

The British press and the British Parliament, but not, I fear, the British people, have been a good deal occupied during the past few weeks with the problems of national defence. The discussion in the main has centred on two questions, (1) Can England be invaded? and (2) Does the two-Power standard of British naval strength include or exclude the United States? On the first question, that of the possibility of an invasion, it may be re-

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membered that Mr. Balfour three and a half years ago, when he was still Premier, delivered a very remarkable speech. He laid it down as an axiom of home defence that the landing of 70,000 hostile troops in Great Britain was "impossible" and that "serious invasion of these islands is not an eventuality which we need seriously consider." Taking France as the hypothetical enemy, Mr. Balfour established the impossibility of invading England on the grounds that the transport of 70,000 men would require 210,000 tons of shipping, whereas it had been ascertained that there were as a rule only 100,000 tons in the French Channel and Atlantic ports; that even if the transport were available it would be a difficult matter to concentrate it all at one port; that the landing of the force would take forty-eight hours; and that the battleships, cruisers, torpedo craft and submarines attached to the British reserve would be amply sufficient, even in the absence of the sea-going fleets, to repel the attack. But Mr. Balfour's contentions even in 1905 were hotly assailed not only by experts in strategy, but by all who realized the danger of allowing a rich, mercantile and unarmed nation to cherish the illusion that its security was unassailable. Since 1905, moreover, the conditions of warfare have considerably changed and the potential power of an attacking force has been largely increased. No one in Great Britain has insisted on the reality of these changes more powerfully than Lord Roberts, who for the past two or three years has been conducting a laborious campaign of popular education in an effort to arouse his countrymen to the reality of the menace that confronts them. In the last week of November he returned to the subject with one of the most startling and impressive speeches to which the House of Lords has ever listened. Instead of imagining an invasion from France he imagined one from Germany. He showed that vessels suitable for the transport of 200,000 men are at all times available in the northern ports of Germany; that the men could be collected without any fuss or publicity or mobilization arrangements; that they could be embarked in a much shorter time than Mr. Balfour had calculated; that instead of three tons of shipping per man being required, one and a half tons would be sufficient for all purposes; and that with the enormous boat accommodation of the big modern liners, with the frequent practice of the troops in embarking and disembarking, with the education given to the officers of the merchant

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marine serving in the reserve, and with the various mechanical appliances which now exist, "the disembarkation of German troops could be carried out far more expeditiously than had been thought possible in the case of French troops." Remembering that the German Government owned the railways and could operate with a secrecy and despatch unattainable in England, that the North Sea offered chances of escaping detection that were absent in the case of the English Channel, and that there were some 80,000 Germans, almost all of them trained soldiers, already resident in the United Kingdom, Lord Roberts expressed his deliberate conviction that 150,000 German troops could be landed in Great Britain, that in the absence of the regular army there was no force adequate to the task of repelling them, and that it was the bounden duty of the country to set about organizing a national citizen army of at least a million men.

I think there is no question that the movement in favor of national service on the Swiss model is growing in this country. It is growing, but it will be a long while before it is taken under the wing of either of the great parties. The general instinct of the country—and I am not at all sure that it is not a sound instinct—is that for purposes of defence the supreme reliance must be placed on the Navy. Nobody has ever denied that a small force might conceivably slip through the lines of naval defence and make a raid on British soil. The question is as to the figure at which this force should reasonably be put. For the past few years it has been more or less common ground that British preparations for home defence should be on such a scale as to make it necessary for an invader who had any hope of success to come with a larger force than 70,000 men. But if an invasion of this magnitude were to be attempted, then the Navy is confident it could not reach British shores undetected and that, once perceived, it could be satisfactorily dealt with. The country therefore believes, though with diminishing confidence, that a formidable invasion would be repulsed by the Navy and that a small raiding force would more than find its match in the territorial force now being organized by Mr. Haldane. If it could be shown that Lord Roberts's fears were justified, the nation would not shrink from the necessary sacrifices. But at present it is not prepared to maintain, first, the all-powerful navy necessitated by its insular position; secondly, the regular army called for by

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the requirements of the Empire; and thirdly, a citizen army of a million men for repelling invasion.

The other problem of national defence which has also been discussed was started by Mr. Asquith's announcement that he accepted on behalf of the Government the formula of naval strength to which previous Governments had subscribed—namely, that the British Navy in capital ships should equal the next two strongest navies *plus* ten per cent. The "Westminster Gazette," which stands, as it deserves to do, nearer to the Government than any other journal, sought to limit the effect of this pledge by arguing that when Mr. Asquith spoke of the next two strongest navies he meant the next two strongest navies in Europe. The "Westminster Gazette" argued further that the wealth, the vast resources and the friendship of America made it both foolish and unnecessary to reckon her among Great Britain's naval competitors. In view of the uncertainty thus inspired Mr. Asquith was invited to be more precise. He therefore declared that by the next two strongest Powers he meant the two Powers that happened to be strongest, "whichever they may be and wherever situated," adding that he saw nothing in that statement at all at variance with an earlier declaration of his, that Great Britain must be prepared to hold the sea against any "reasonably possible combination." But, as "The Nation," a Radical organ of great ability and influence, at once pointed out, the two formulas are in reality very different. The United States and Germany are the next two strongest Powers, but it is obvious that they are not a "reasonably possible combination." Is Great Britain to build against the united strength of both of them? "On that proposition," says "The Nation," "we have two remarks to make. The first is that the people of Great Britain cannot do it. The second is that the Liberal party will not try to do it. They will never consent to build against America." The "Spectator," on the other hand, a journal notoriously friendly to America, sweeps away all such qualifications, declares the friendship test to be wholly precarious and misleading, and insists that "the only safe plan is not to make any invidious distinction between friends and enemies, but to maintain the principle that, in order to secure our national safety, nay, our national existence, we must have a fleet which will be stronger by a substantial margin than any two navies that can possibly be brought against us." I will only

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add to all this two statements of fact. The first is that the British Navy is at this moment nearer a three-Power than a two-Power standard. The second is that the British naval authorities, as they have shown by the withdrawal or reduction of their North Atlantic and West Indian squadrons, have practically wiped from their calculations the possibility of a war between Great Britain and the United States.

Many hopes and the best part of a year's Parliamentary work were ruined when the House of Lords contemptuously rejected the Government's Licensing Bill. The Bill was unquestionably overloaded, but it represented the most earnest effort that this generation has seen to grapple with the liquor trade and assert the supremacy of the state over a highly organized, wealthy and disreputable interest; and the action of the Lords in throwing it out, if it has not aroused much visible indignation, has, I believe, deeply shocked the moral sense of thousands of moderate men of all parties.

In one way, it is true, the Government may not be altogether displeased by the failure of their Bill. They are now left free to tax licenses as they are taxed in the United States, and as the current financial year is certain to end in a large deficit and as the entire expenditure for old-age pensions, education, the unemployed and the Navy mean a heavy budget for 1909-10, it is some consolation to them to feel that the rejection of the Bill enables them to tap this fruitful source of revenue. But that, after all, is a poor consolation. The fact remains that a measure of social reform, for which the Government received at the last election a direct mandate from the people, on which they have spent months of the most anxious and unremitting labor, and around which the best opinion of the country had unmistakably gathered, has been killed by the Lords. What action the Government will take we do not know, though we do know they will not dissolve. They have to finance the old-age pension scheme, to amend the poor-law system and to bring in a measure of electoral reform before they can think of appealing to the country. When they do appeal it will be primarily on the issue of Free Trade, but, secondly, on the issue of the House of Lords.

The issue of the House of Lords is by far the most serious constitutional question, it is indeed the only one, that palpably awaits settlement.

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ROME, *December, 1908.*

ACCORDING to the Italian Constitution five years is the extreme limit of a "Legislature," that is, the period of life of the Chamber of Deputies from one general election to another, or to its dissolution. However, it is an unwritten and accepted rule that no Legislature shall live out its life, so that from May 8th, 1848, when the first Legislature was inaugurated in Turin, none of the twenty-two which followed completed the five years, but had an average life of three years. This is done in order to spare the Government and the country the struggles and agitations connected with general elections when, either on account of internal troubles or because of international complications, they would be inopportune and dangerous, as the Constitution also establishes that, once the Chamber is dissolved or the Legislature has come to an end, a new Chamber must be convoked within four months, thus rendering the elections inevitable within that period.

For these reasons Signor Giolitti has practically decided that the next general elections shall take place during the spring, in April or May, as the present Legislature expires in the autumn of 1909, when, as we have seen, they would be inevitable no matter what was then happening in Italy or abroad, while it is another unwritten rule that they never take place in summer when the agriculturists of the peninsula, representing over two-thirds of the whole population, are engaged in the severest period of their labor. With regard to this it must be recalled that one of the problems in Italy is to obtain a large participation of the citizens in political life, so that while there is practically universal suffrage—as every man who is of age and knows how to read and write can vote—in reality the electors, according to the statistics of the last general elections, are only 2,541,327, that is to say, one-thirteenth of the whole population. In France, on the other hand, the electors are one-fourth, in Belgium and Germany one-fifth, and in Great Britain a little less than one-seventh.

All the same, Signor Giolitti may find himself confronted with serious obstacles even holding the coming general elections next spring, on account of the international situation which arose from the Balkan imbroglio, and which produced a counteraction in the internal politics of the peninsula. The unnecessarily high-handed proceedings followed by Austria in the annexation of Bosnia-Herzegovina, has rendered immensely more difficult the

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already difficult situation of the young kingdom in its relations on one side with the Triple Alliance, and on the other with England and France, as, all secondary questions being discarded, what is really at the bottom of the European complications is the Anglo-German antagonism. The more this is accentuated, the more Italy is embarrassed, she being put to the alternative of choosing between her allies and her friends, which is extremely serious, and may have consequences of such a vital character as almost no other country in Europe has to fear at the present moment. Considering the reawakening of "Irredentism" throughout Italy, caused by the brawls between the German-Austrian and Italian students at the University of Vienna, last November, the superficial observer might come to the conclusion that her best policy would be to abandon the Triple Alliance, without even waiting for its expiration in 1912, which, it is remarked, could scarcely be objected to by Vienna after the late demonstration from there of the way in which they understand the respect due to international treaties. This, however, no matter how great may be the desire to join France and England, is practically impossible, it being now no more a mystery that the withdrawal of Italy from the Triple Alliance would be considered by Austria as a *casus belli,* and would be answered by the invasion of Lombardy and Venetia, for which the army of the Hapsburg Monarchy is already thoroughly prepared, having also on their side all the advantages of a geographically favorable position which places them at one day's march from Milan. A moderating action on the part of Germany to restrain Austria cannot be hoped for—as a very high personage explained to me very recently—all complications in the international affairs of Europe arise from a strange situation of what may be called a reciprocal friendly blackmailing between Vienna and Berlin. The Kaiser and his advisers are now convinced that the only friend on whom they can depend is their ancient enemy of Sadowa, and they have agreed, especially after the German failure at Algeciras, to back Austria unconditionally, diplomatically and militarily, in every conflict regarding her Southwestern frontiers, thus including the Balkans and Italy.

The "unconditionally" must not, of course, be understood in the sense that Germany does not get her return, which consists in Austria having agreed to put at her disposal her diplomacy and her army and navy against whomsoever she should fight in

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Europe, without discussing the merits of the conflict. Italy in the Triplice is a mere addition, having the object of contributing to form one of the strongest compacts which have ever existed in Europe, and serving at the same time as an infallible index of what is to be expected, both Berlin and Vienna knowing that Rome will never leave them until she is sure that forces considered stronger than those of the Central Empires are ready to back her up. That is why at the first serious move of Italy to emancipate herself from the Triple Alliance, Austria would strike her blow, as Vienna and Berlin would then be convinced that their enemies had formed such a combination as to consider it superior to the Austro-German forces. What I have said is sufficient to make clear the impossibility for Italy, if she stands alone, to comply with the long-expressed desire of France, and that, relatively recent, of England, that she should leave the Triple Alliance.

An interesting feature of the approaching political struggle will be the attitude of the Vatican and the Catholic electors. As was the case with Leo XIII, Pius X also started his Pontificate by appearing animated with an intention of smoothing down the bitterness in the relations between Church and State. A *modus vivendi* between the two powers was even spoken of, and there is no doubt that the *non expedit,* viz., the prohibition to Catholics to participate in the political arena, was practically removed, so that several members of pure Catholic principles were returned in the general election of 1904, forming a nucleus of what might have later become a Papal party in the Italian Chamber. The new Pontiff, however, and his *entourage* soon saw the disadvantages of such a policy, which would have engaged the Church in the daily internal politics of the peninsula, to the detriment of her prestige, while the losses abroad would have been incalculable, financially and morally, as the Pope would have lost the independence of which his antagonism to Italy is the best guarantee, merely to appear as an Italian Bishop submitted to the powers ruling in Rome.

The Holy See, therefore, has lost no opportunity lately of reaffirming its traditional position of irreconcilability with the events which followed the fall of the Temporal Power. One of the best opportunities offered was the report spread by Court circles at Vienna to test the ground at the Vatican, that Archduke Franz Ferdinand, the heir to the throne, was to visit King Victor

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at the Quirinal with the consent of the Pope. To well understand this it must be remembered that the late King Humbert and Queen Margherita, in October, 1881, went to Vienna, and that the Emperor Francis Joseph never returned this visit, because Leo XIII declared that any Catholic ruler who dared to be the guest of the King of Italy in the "Apostolic Palace of the Quirinal" would be excommunicated, while the King of Italy, in his turn, refuses to receive any Catholic ruler anywhere but in the capital of his kingdom. So far only King Ferdinand of Bulgaria and President Loubet have dared to challenge the thunders of the Head of the Church. Considering that the new Pope, elected through the veto which Austria put on the nomination of Cardinal Rampolla in the last Conclave, seemed to have brought about a considerable change, and considering the permanent reason for resentment which the unreturned visit of King Humbert to Vienna causes in the already difficult relations between Austria and Italy, the half-measure of sending the Crown Prince, who is not yet a ruler, to Rome was suggested to see whether it would be acceptable. This time the Vatican hurried to dissipate any uncertainty on the subject by having the "*Correspondenza Romana,*" which is officially inspired by the Papal Secretaryship of State, publish a statement, which could not be clearer, and which is a most interesting document in the now historic struggle between the spiritual and civil powers in Rome. It runs as follows:

"The Roman question is not closed, although its closure has been announced by the side, but only by the side, which has an interest in so doing. The other side has always protested against the accomplished fact, and against force in the name of right.

"It is a solemn and well-known fact that the Holy See maintains its reserves, its protests and its rights. This may please or displease, but it would be puerile to dissimulate it or profess astonishment. Not less familiar is the double form principally adopted by the Holy See to render her attitude solemn and clear to the world. The Pope will not leave the Vatican: the Pope declares that he considers the visit of the Head of a Catholic State, or of his representative, to the third Rome, as an offence to him personally and to the Church.

"If the consequent omission of certain visits displeases certain persons they must blame themselves, or others, but never the Pope, who is by them constrained to assume an attitude which for him is a duty imposed by his conscience. Also the statement that the unpaid visits are gravely damaging to the interests of Italy is as misleading as it is

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false, shown by the fact that they have not in the least interfered with alliances and closer relations between Italy and the countries whose rulers cannot visit Rome. These two points of the perennial pontifical protest show that it would be futile to fabricate subterfuges to take its significance of an offence to the Roman Pontiff and to the Catholic Church from the suggested visit of the Archduke. For this reason Pius X cannot but continue in the attitude and declarations of his predecessor regarding this question, and for this reason the attempt to make it appear that the visit of the Archduke to the third Rome would be considered by the Holy Father as acceptable and tolerable must be regarded as a vulgar deception."

WASHINGTON, *December, 1908.*

AN analysis of the revised results of the last Presidential election brings out some interesting facts which at first were overlooked. For instance, it appears that in four States only, to wit, Pennsylvania, Ohio, Michigan and Wisconsin, did the Taft vote fall below that given to Roosevelt in 1904. On the other hand, it exceeded Roosevelt's in New York, Connecticut and New Jersey, as well as in California, Maine, Rhode Island, Nevada, North Dakota, Wyoming, Oregon and Washington. In Missouri Taft got more votes than did Roosevelt four years ago by nearly 26,000, and he outran Roosevelt in the industrial Southern States. Mr. Bryan ran behind his record in 1900 in twenty-one States, and in twenty-five States where Governors were elected the Democratic votes for Governor outnumbered those for President. Two deductions seem to follow: first, that the nomination of Bryan this year was a gross error, and, secondly, that Taft has at least a better chance of rupturing the Solid South than has been possessed by any previous Republican President.

It is hard to see what practical purpose President Roosevelt had in view when he spun out his last Message to such an inordinate length—it comprises some 21,000 words—in view of the fact, well known to him, that the present Congress has but a few working days before its tenure of life expires. Perhaps he had an idea of composing a Farewell Address, in which a summary of his characteristic notions might be handed down as a legacy to his countrymen. If that thought was in his mind, it is to be hoped that the Message will find more readers outside of Congress than it did within that body. Seldom, if ever, has an official communication from the Executive to the legislative branch of

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our Federal Government been treated with less respect. That any of his injunctions will be heeded, or that any of the laws advocated by him will be placed upon the statute-book between now and the 4th of March, 1909, nobody believes. Of course, we would not go so far as to say that all of his recommendations deserve to be disregarded. For instance, Mr. Roosevelt is justified in averring that, as regards the liability of employers for injury caused by accidents in interstate transportation, the laws of the United States are decidedly behind those of almost all other countries in the civilized world. As a rule, our Federal legislation on the subject has proceeded on the assumption that compensation for injury should not be granted in cases where the accident is to any extent due to the negligence of the employee. Most other countries hold, on the contrary, that only a great degree of negligence on an employee's part acts as a bar to his securing damages, because it is recognized as inevitable that daily familiarity with danger will lead men to take chances that may be construed into negligence. It is true that a step was taken in the right direction not long ago when Congress passed the Employers' Liability Act, but this law has been declared by the United States Supreme Court unconstitutional, apparently on account of its including in its provisions employees engaged in intra-state, as well as inter-state, commerce. Creditable, also, to the President's sense of equity is his plea for the increase of the salaries now given to Federal judges. He says with truth that, on the whole, there is no body of public servants in the Republic who do as valuable work, and whose pecuniary reward is so inadequate to their deserts. It is not befitting the dignity of the nation that its most honored public servants should receive stipends so small compared to what they would earn in private life that the performance of their duty involved an exceedingly heavy pecuniary sacrifice.

Timely and helpful, also, is the reference to the urgent necessity of saving the forests of the country from destruction. Mr. Roosevelt says with truth that forests, rivers and the soil constitute three natural resources which any really civilized nation will so use that they will continue to be of benefit in the distant future. Owing to our own reckless abuse of our originally splendid forests, we are already on the verge of a timber famine, and no measures that we may now take can, at least for many years,

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repair the mischief that has already been inflicted. In some sections of our country, as, for example, in the Adirondacks, the White Mountains, the Appalachians and the Rocky Mountains, we already see the permanent injury which the soil and the river systems have suffered from wanton deforestation. Further mischief can be prevented, however, and it would be, as Mr. Roosevelt says, in the highest degree reprehensible to let any consideration of temporary convenience or temporary cost interfere with such precautionary and remedial action, especially as regards the national domain. The desolation which has been brought upon Northern China, upon Central Asia, Palestine, North Africa and parts of the Mediterranean countries of Europe will surely be witnessed in our Republic also if we do not forthwith begin to exercise the wise forethought which should characterize any people calling itself civilized. It is criminal to permit individuals to purchase a little gain for themselves through the sweeping devastation of forests, when such devastation will prove fatal to the well-being of the nation hereafter.

Another of Mr. Roosevelt's demands which will be seconded heartily by those who are conversant with the naval programmes of Great Britain, Germany and Japan, is that for four new battleships of the *Dreadnought* type, if not superior thereto. It is undoubtedly desirable to complete as soon as possible a squadron of eight battleships exemplifying the highest plane of efficiency yet attained. The *North Dakota,* the *Delaware,* the *Florida* and the *Utah* will constitute the first division of this squadron, and the four vessels now proposed the second division. It is patent, also, that all of the vessels belonging to the squadron should have the same tactical qualities, as regards, that is, speed and turning circle. No matter how desirable and even important this immediate increase of our navy is felt to be by experts, nobody believes that the present Congress will authorize the beginning of more than two battleships this year.

One of the features of Mr. Roosevelt's last Message, which has given great offence, is the attack on the Federal Judiciary, an attack not the less harmful because it is accompanied with the perfunctory admission that our judicial system is sound at the core. Mr. Roosevelt insists that there are Federal judges who show inability or unwillingness to put a stop to the wrong-doing of very rich men under modern industrial conditions; and inabil-

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ity or unwillingness to afford relief to men of small means or wage-workers who are crushed down by these modern industrial conditions: judges, in other words, who fail to understand and apply the needed remedies for the new wrongs produced by the new and highly complex social and industrial civilization which has grown up in the last half-century. Elsewhere the President declares that some members of the judicial body have lagged behind in their understanding of the great and vital changes in the body politic; judges whose minds have never been opened to the new applications of the old principles made necessary by the new conditions. He adds that judges of this stamp do lasting harm by their decisions, because they convince poor men in need of protection that the Courts of the land are profoundly ignorant of and out of sympathy with their needs, and profoundly indifferent or hostile to any proposed remedies. "We must face the fact," says Mr. Roosevelt, "that there are wise and unwise judges." That is a truism. Such has always been the case. The objection to the great space and stress allotted to the subject in Mr. Roosevelt's last Message is that it conveys a false impression as to the comparative amount of unwisdom on the Federal bench. Few persons reading the President's diatribe would guess, what, nevertheless, is true, that at no time in the history of our Federal Judiciary has the standard of qualifications been higher than it is to-day.

It is not surprising that both Chambers of the Federal Legislature should be deeply affronted by the intimation in the President's Message that it is known to many members of Congress that their private lives, or public conduct, or both, will not bear investigation. It will be observed that the President has not confined himself to assailing the integrity of certain individual Congressmen; he has assailed the integrity of the Congress itself. Unless, therefore, the truth of the accusation is challenged, every European sovereign will be justified in pointing to Mr. Roosevelt's uncontradicted words as proofs that American institutions are a degraded form of government. Unless Congress is willing to abdicate its dignity and influence, to renounce even a reputation for decent probity, it must call upon the President to prove that he spake truthfully when he says that the restriction of the use of the Secret Service funds by a recent statute operates only to the advantage of the criminal, and that the restriction was

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adopted for no other reason than because Congressmen did not themselves wish to be investigated.

The identical declarations issued simultaneously by Secretary Root and by Baron Takahira, Japanese Ambassador at Washington, concerning the intentions of their respective countries with reference to the Far East are generally deemed to constitute a notable diplomatic achievement from the view-point of tactical form as well as substance. As regards form, it is obvious that what we have is neither a treaty, nor a convention, nor even an agreement, and there is, therefore, nothing requiring the sanction of two-thirds of the Senate. Each country, speaking for itself, through its Foreign Office, defines the policy which it is firmly resolved to pursue, with regard, first, to the independence and territorial integrity of China; secondly, with regard to equal opportunities of trade therewith, or, in other words, the "Open Door"; and, lastly, with regard to the integrity of the respective possessions of Japan and the United States in the Far East. It will be observed that neither of the two countries last named binds itself to guarantee the other's possessions; but each announces the intention of respecting them, and, also, should they be threatened with encroachment by a third country, the intention of considering what action should be taken in the premises and of communicating promptly its conclusion to the other party to the concurrent declarations. It may, at the first glance, be thought that, if there is nothing in the transaction for the Senate to take hold of, there can be nothing in it of much value to either the United States or Japan. The fact, however, that the two declarations are identical and simultaneous is recognized by diplomatists, not only in Washington and Tokio, but also in European capitals, as an incident of great importance, which practically imposes a weighty moral obligation on both parties. If, before he goes out of office, Mr. Root shall also arrive at a similar understanding with Japan in reference to the emigration question, the country will, indeed, have reason to congratulate itself on the results of his tenure of the State Department.

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THE EDITOR'S DIARY.

On the Need of Play.

To keep man's physical machinery in good repair and smooth running order is such a simple business that one wonders how it is possible for intelligent men to let themselves break down. Yet the able man of to-day, no matter how robust a youth he was when he forsook the plough to live in the city and dominate finance or great industries, seems to be more delicate than a porcelain vase or a thoroughbred horse in training. Let a business crisis appear, and although he struggles through it manfully he is almost certain to break down when the strain is relaxed.

One would think that there must be some marvellous secret in the art of being able to continue doing one's daily work in the world; so many able intellects fail to grasp it. Wherefore we see captains of industry, statesmen, administrators of important enterprises, kings of finance, often dropping the important work in hand in order to vegetate in American sanitariums or wallow in foreign mud-baths.

And all this in face of the fact that, given a half-way normal constitution to begin with, it is the simplest thing in the world to remain well, strong, cheerful and competent. That very simplicity is the greatest obstacle to the carrying out of the idea. He was a profound philosopher who complained that it is the obvious thing that is never done. If health and efficiency were a rare commodity obtainable only in remote fastnesses and at a vast price, undoubtedly we should be oversupplied with it. But it lies at every man's hand. He has only to take and it is his. Of course, he will not take. He will have none of it till gout or rheumatism or appendicitis has gripped him and barred him from his daily vocation. Then he will endure pain, and spend much time and money in acquiring what he should never have lost.

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The hardest thing to teach the modern man is the necessity of taking care of the physical part of him. Our bodies are more than the mere cloying earthly envelope that the ascetics denounced, or the instruments for the enjoyment of luxury that the Epicureans so greatly admired. For the busy man of to-day —if he would but let himself grip the fact—his body is the machine that carries him to his work and enables him to do it, the accomplishment being good or ill according to the care taken to keep the body well.

What should we do, then, to be always well and efficient? The answer is contained in one word—*play!* Let us hesitate a moment before condemning this simple suggestion. The actual need of play is as real in every one of us as the need of food and sleep. For it is through the medium of play that exercise can best be administered to the physical man, arduous exercise that flexes the muscles, fills the lungs with good fresh air, makes the heart beat with added strength and compels the organs of elimination to remove the waste tissue whose presence in our midst is a most potent cause of illness.

As to the form of play, we may take our choice, so long as it is not carried to excess. The busy man need not be a slave to the maxim that the best thing for the inside of a man is the outside of a horse. Perhaps he dislikes to ride (there are such individuals); then let him take a daily walk—at a round, brisk pace, to be followed by a bath and dry clothing. Or, if these prove unattractive, let him play tennis or squash or handball, or give a certain time each day to fencing or boxing. The great thing is to gild the pill of needful exercise with the fine gold of amusement. And to accomplish this nothing is more helpful than the spirit of competition. Nothing can be more depressing that dull, monotonous exercise taken as a prescription. It is easy to believe the expert who says that to play one game of tiddle-de-winks with zest will do a man more good than to push up a five-pound dumb-bell a thousand times.

There are games enough to suit every taste. It is impossible to imagine any man with the use of his limbs who cannot find a pastime as pleasing to his fancy as it is necessary to his health.

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